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TRANSCRIPT OF PROCEEDINGS

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REFUGEE REVIEW

SUNDAY 27 MAY 2007

INTERVIEW CONDUCTED BY: CECILIA WINKELMAN

INTERVIEWEE: ALI BAKHTIARVANDI

1 MS WINKELMAN: My name is Cecelia C-E-C-E-L-I-A Winkelman W-I-  
2 N-K-E-L-M-A-N. Today's date is Sunday the 27th of May  
3 2007, I'm conducting the interview with Ali Bakhtiarvandi  
4 in the city of Ballarat, the state of Victoria, Australia.  
5 Ali would you say your name and spell it?  
6 MR BAKHTIARVANDI: My name is Ali A-L-I Bakhtiarvandi B-A-K-H-  
7 T-I-A-R-V-A-N-D-I.  
8 MS WINKELMAN: And your name at birth, was it different?  
9 MR BAKHTIARVANDI: No.  
10 MS WINKELMAN: Same name?  
11 MR BAKHTIARVANDI: Yeah.  
12 MS WINKELMAN: Okay, do you have any other names?  
13 MR BAKHTIARVANDI: Yeah, Ramin R-A-M-I-N.  
14 MS WINKELMAN: Okay, do you have a nickname?  
15 MR BAKHTIARVANDI: No.  
16 MS WINKELMAN: Okay and your birth date?  
17 MR BAKHTIARVANDI: Fifth of April 1966.  
18 MS WINKELMAN: Okay and your age now?  
19 MR BAKHTIARVANDI: Forty-one.  
20 MS WINKELMAN: And the city, if you would spell it, and country  
21 of your birth?  
22 MR BAKHTIARVANDI: I born in Iran and the city name is Abadan  
23 A-B-A-D-A-N.  
24 MS WINKELMAN: Now let's start. Could you speak about your  
25 life in Iraq[sic] before detention?  
26 MR BAKHTIARVANDI: My real life is starting by revolution in  
27 Iran and because before that I was really young and I was  
28 just busy with school and really busy, by play soccer.  
29 After revolution everything was change in my country. And  
30 short time after that the war was start between Iran and  
31 Iraq, and it stayed for eight years.

1 MS WINKELMAN: Could you say a bit about your life in Abadan  
2 before the revolution?

3 MR BAKHTIARVANDI: Yeah, I start school, I think when I was six  
4 or seven years. I went to school in that time, I haven't  
5 really memory about that time because this was long, long  
6 time ago and lots of thing was happened in my life, but it  
7 was actually good. In that city it's very hot weather in  
8 long summer time, actually more than four, five months.  
9 Everybody was happy with their life. I and my family, we  
10 was very happy together and we enjoy whatever we had in  
11 that time.

12 MS WINKELMAN: How many brothers and sisters were there?

13 MR BAKHTIARVANDI: I have three brother and five sisters.

14 MS WINKELMAN: Right.

15 MR BAKHTIARVANDI: Yeah, it was with my parents - 11 people, we  
16 was living in very- actually a small house, and this was  
17 really good, really good.

18 MS WINKELMAN: And where are you in the 11?

19 MR BAKHTIARVANDI: Number eight.

20 MS WINKELMAN: Number eight, okay. All right, and could you  
21 say a bit about what was good about it?

22 MR BAKHTIARVANDI: We had very warm family, and actually my  
23 oldest sister, she get married when I was I think one or  
24 two years old, and she left Abadan to North Iran in Sari,  
25 and my second sister, older sister, she was working for  
26 Hospital Department in that city Abadan, and my dad was  
27 retired. My mum was always working in house - cooking,  
28 cleaning, and she did everything and we enjoy with our  
29 time.

30 MS WINKELMAN: So, when you were born your dad was retired?

31 MR BAKHTIARVANDI: I think one year after that he was retired.

1 MS WINKELMAN: And he retired from?  
2 MR BAKHTIARVANDI: From petroleum company.  
3 MS WINKELMAN: Right. What did he do there?  
4 MR BAKHTIARVANDI: He was working for the air conditioning  
5 department in the petroleum company in Abadan.  
6 MS WINKELMAN: Right.  
7 MR BAKHTIARVANDI: Yep.  
8 MS WINKELMAN: Okay, and mum did the cooking?  
9 MR BAKHTIARVANDI: Yeah, she always cooking and I think most of  
10 her life is spent in kitchen and look after seven, eight  
11 kids.  
12 MS WINKELMAN: What was the house like?  
13 MR BAKHTIARVANDI: Maybe it's hard for you, or anybody who here  
14 to believe, but we had two rooms and one small living  
15 room, a very, very small kitchen that's it and yeah, the  
16 small front yard and all nine, ten people were sleeping in  
17 that place for actually a long time, I think since 1967 or  
18 8 until 1980. The war start we was living there.  
19 MS WINKELMAN: Where did you sleep?  
20 MR BAKHTIARVANDI: We was sleeping all together and it was  
21 fine.  
22 MS WINKELMAN: What were the beds like?  
23 MR BAKHTIARVANDI: We all were sleeping on the floor with  
24 mattress.  
25 MS WINKELMAN: Right.  
26 MR BAKHTIARVANDI: Yeah.  
27 MS WINKELMAN: In the day time?  
28 MR BAKHTIARVANDI: Day time we spent time for school and  
29 something else. Night time we was together until we had  
30 to go to bed or sleeping, actually.  
31 MS WINKELMAN: Right, and what did you do together?

1 MR BAKHTIARVANDI: We play together and we watch TV, and  
2 sometimes we went to visit our relative and they came to  
3 visit us, yeah.

4 MS WINKELMAN: You mentioned soccer?

5 MR BAKHTIARVANDI: Yeah, soccer was my- one of the good time in  
6 my life.

7 MS WINKELMAN: And then the revolution in Iran?

8 MR BAKHTIARVANDI: Yeah, but very short time actually after  
9 revolution the war was start and - the time for revolution  
10 was less than one year, but people demonstration in all  
11 around Iran, Shah left Iran and a new government came.

12 MS WINKELMAN: How did that affect you?

13 MR BAKHTIARVANDI: Actually revolution didn't affect me or my  
14 family, but the war was affect me and my family and lots  
15 of people because the city I was born, and I was living,  
16 it was very close to Iraq border and people in my city -  
17 actually that city and Basra in Iraq, we had just one  
18 river. It's less than I think 500 metre and you can see  
19 people in Basra, in Iraq, from the city I was living  
20 there. And that's why after a short time then the war was  
21 start we had to leave the city and more than 90 person-  
22 people left that city because this was really, really  
23 dangerous.

24 MS WINKELMAN: How old were you then?

25 MR BAKHTIARVANDI: I was nearly 14 years old.

26 MS WINKELMAN: Fourteen. So the whole family left?

27 MR BAKHTIARVANDI: Yeah, except my dad and my sister, because  
28 my sister she was working for hospital department. She  
29 was working for government and she wasn't allowed to leave  
30 the job, and my dad said 'I cannot leave my single  
31 daughter there in lots of horrible situation', and he was

1 stay with her. I don't remember for how long I think more  
2 than few months, until they transfer everything from that  
3 hospital to another, a little bit safe place.

4 MS WINKELMAN: Where did the family, the rest of the family,  
5 move in the mean time?

6 MR BAKHTIARVANDI: We moved to another city in the Khuzestan  
7 estate and after that we left to North Iran to live with  
8 my sister.

9 MS WINKELMAN: And what city was that?

10 MR BAKHTIARVANDI: Sari.

11 MS WINKELMAN: Sari, how long did you stay in Khuzestan estate?

12 MR BAKHTIARVANDI: Exactly three months, since the war start  
13 and in second city also it wasn't very safe, but still  
14 this was better than my first city, Abadan. And yeah,  
15 after that we left to Sari in North Iran, and we was there  
16 for more than a year.

17 MS WINKELMAN: Staying with your sister?

18 MR BAKHTIARVANDI: Yes.

19 MS WINKELMAN: So, the war had started and three months later  
20 you left to go to Khuzestan?

21 MR BAKHTIARVANDI: No, since the war start we was in that  
22 situation for nearly three months, and after three months  
23 we left to Sari, North Iran, and we was there for more  
24 than a year, and we moved again to another city in the  
25 middle of Iran they call 'Esfahan'.

26 MS WINKELMAN: Esfahan?

27 MR BAKHTIARVANDI: Yeah. And after short while we bought a  
28 house in that estate[sic].

29 MS WINKELMAN: And how old were you when you moved to Esfahan  
30 with your family?

31 MR BAKHTIARVANDI: Nearly 15, 16 years old, yeah.

1 MS WINKELMAN: Right. And who was there, how many members of  
2 the family were with you at that time?

3 MR BAKHTIARVANDI: My oldest brother was soldier in that time,  
4 one of the - three of my sister was working for three  
5 different hospital department for government in three  
6 different city of Khuzestan estate, and my second brother  
7 he left to war as a soldier, and the first one came back.  
8 My dad still was there in Abadan, and my mum and I and my  
9 sister, my younger sister, we was in Esfahan.

10 MS WINKELMAN: The three of you?

11 MR BAKHTIARVANDI: Yeah.

12 MS WINKELMAN: And you bought a house there?

13 MR BAKHTIARVANDI: Yeah.

14 MS WINKELMAN: What was the house like?

15 MR BAKHTIARVANDI: It actually was bigger than first house we  
16 had in Abadan, and it was good. We had three room with  
17 big living room and little bigger than first house front  
18 yard. Yeah, it was good. Still my mum she living there,  
19 and she's quite happy.

20 MS WINKELMAN: And then what happens next?

21 MR BAKHTIARVANDI: After that I was always travelling to North  
22 Iran, Khuzestan, to visit my sisters, because the place  
23 they was living there it was very close to the war  
24 situation it wasn't really safe place, and I was  
25 continuing to playing soccer as well. Sometimes at school  
26 and until the (indistinct) few years like that.

27 MS WINKELMAN: Few years. What sisters did you go to visit?

28 MR BAKHTIARVANDI: Three of them, they was living there.

29 MS WINKELMAN: In Sari?

30 MR BAKHTIARVANDI: No, in the Khuzestan Estate.

31 MS WINKELMAN: Khuzestan.

1 MR BAKHTIARVANDI: Yeah, because they was working for  
2 government, and sometimes I went to visit them even for  
3 short time and - yeah, I come back to Esfahan to live with  
4 my mum; going to North Iran to visit my sister another  
5 one, the oldest one, and busy with soccer, busy with war,  
6 and until I was 20 or 21 I went to war.

7 MS WINKELMAN: As a soldier?

8 MR BAKHTIARVANDI: As a soldier, because in my country after 18  
9 years old you have to go to involve with army. It is a  
10 rule and you have no choice.

11 MS WINKELMAN: So, you went to the army at 21?

12 MR BAKHTIARVANDI: Twenty or 21, yeah.

13 MS WINKELMAN: So, you finished secondary schooling in Esfahan?

14 MR BAKHTIARVANDI: In Sari, actually.

15 MS WINKELMAN: In Sari?

16 MR BAKHTIARVANDI: Yeah.

17 MS WINKELMAN: With your sisters?

18 MR BAKHTIARVANDI: Yeah, and I went to war. Actually, before I  
19 went my third brother was soldier as well, I think for  
20 more than a year, and I went to West Iran - they call  
21 Kurdistan.

22 MS WINKELMAN: At 21?

23 MR BAKHTIARVANDI: Yeah. I had seven more training in that  
24 estate in Kurdistan. For some reason, they sent me to  
25 nurses study after the training time finish.

26 MS WINKELMAN: Nurse?

27 MR BAKHTIARVANDI: Yeah.

28 MS WINKELMAN: Nursing?

29 MR BAKHTIARVANDI: Yeah. I went to another estate they call  
30 Azerbaijan, (indistinct). I had nurses study there for  
31 three months, or a little bit more than three months, and



1 after that again I came back to Kurdistan and I was  
2 working as a nurse.

3 MS WINKELMAN: And then what?

4 MR BAKHTIARVANDI: I went to war. In that time in Kurdistan we  
5 was not only involved with war with Iraq, we was busy with  
6 another group in Kurdistan. They call them Komala and  
7 Democrat, and there was a group who was fighting with the  
8 Iranian Government for Kurdish people in Iran and the  
9 situation there was really dangerous, because when we had  
10 fight hit Iraqi people. We wasn't thinking about our  
11 backside, because we know 100-percent our enemy come from  
12 front, but in that situation, busy with different group in  
13 Kurdistan, like Komala and Democrat, you never know from  
14 which side your enemy coming. Backside, right, left, front  
15 - and they didn't have any uniform or anything like that.  
16 They just wear traditional Kurdish clothes and it was hard  
17 to know who is Democrat and who is Komala and who is no.  
18 Until I went to the border behind Sulaymaniyah in Iraq, we  
19 was there for while and the - it was time nearly to stop  
20 the war from United Nation by Javier Perez de Cuellar. He  
21 was Secretary-General of the United Nation in that time;  
22 and three my friend was killed there. The time was really  
23 dangerous. We couldn't take the body back to Iran. We  
24 left the body there, two of them. The missiles come next  
25 to them, two of them was head cut off, and one of them he  
26 had no face. Actually, the body came three months after  
27 that. Then we came back to Iran. Short while after that  
28 they stop war, and Iraqi people and Iranian people,  
29 actually army, they went to the border. That was one of  
30 the really hard time I had in that eight-years' war  
31 between Iran and Iraq. And I saw lots of horrible

1 situation in that eight years, but the hardest was one of  
2 the (indistinct) people, because he say to me two days  
3 before he died, he say to me "I'm not sure I can have a  
4 (indistinct) to fight with, to using my bullet, and I will  
5 die soon." And he died.

6 MS WINKELMAN: His name?

7 MR BAKHTIARVANDI: His name was Nassar. He was from north Iran.

8 Some part of Babolsar city. He was very nice, kind man.  
9 And we had good time, sometimes I went to visit him before  
10 we going to border. And we was talking and he wasn't  
11 really happy with his life, for some reason. But it was  
12 my really hard time. I saw lots of people who was killed  
13 in that eight years. But I never can forget him. I always  
14 remember, because another thing he say to me when we was  
15 on the mini bus, he said to me "Ramin," I said "yeah?", he  
16 said "we both not gonna come back." And I said "Nassar,  
17 that's alright. Everything in God's hand, and you never  
18 knows what's going down." And we don't know where we're  
19 going now, because they didn't say where we going. And  
20 it's make me to always thinking, 'how come he said we *both*  
21 not going to come back, and this was true for himself, and  
22 didn't come to me?'

23 In that time, my dad was really sick. I didn't have any  
24 news about him, because last time when I had visit him, he  
25 was in hospital. And when I come back to (indistinct), to  
26 the city, in Kurdistan, I send one of my friend to ring my  
27 relative to make sure what's going on with my dad. Because  
28 I have some responsibility here, I couldn't go to find out  
29 what's happening to my dad. And he came back and said how  
30 everything was alright, and "he's good, I talked to your  
31 brother, your cousins, and everybody was happy". I was

1 shocked, because I was thinking 'it might be something  
2 happened, because he talked to lots of my family, and my  
3 cousins, my relative, and it shouldn't be everybody there.  
4 He said to one of the Major, and he said "his dad died",  
5 and the Major said "Can I ask you something?", I said  
6 "Yeah, that's okay.", he said "What's happening if your  
7 dad died?", I said "I think this is a situation for  
8 everybody in the war, but it is really hard for me,  
9 because I had very close relationship with my dad, and  
10 it's not gonna be easy." He said "Oh, I wanna send you to  
11 holiday, and your dad is really sick, and he wants to see  
12 you." I said "At the moment, no body allowed to go  
13 holiday, because it's a special time." He said "oh, it  
14 doesn't matter - I wrote the letter, and you can go." I  
15 went to the city and rang my uncle and I ask him "what's  
16 happening?". He couldn't talk properly, and he didn't say  
17 anything to me. I get really angry, because it was caused  
18 me eight, nine hours to go home from that city to Esfahan.  
19 And I want to make sure everything alright, or no. Anyway,  
20 I bought a ticket and I went there six o'clock in the  
21 morning. I was on (indistinct) I saw my older sister, that  
22 one she lives in north Iran, and when I was there it was  
23 nine days after my dad died, and I didn't know. It was one  
24 of the, my hardest thing in my life. And which is also I  
25 cannot forget forever. But I couldn't do anything about  
26 it, because it's already was happened, and I never see,  
27 seen him again. The last time when I saw him he was in  
28 hospital.

29 MS WINKELMAN: Can you say what made it the hardest thing in  
30 your life?

31 MR BAKHTIARVANDI: Sorry?

1 MS WINKELMAN: Can you say what is it - what made it the  
2 hardest thing in your life?

3 MR BAKHTIARVANDI: There is lots of thing hard in my life which  
4 is hard to forget. One of them was my dad - I didn't see  
5 him before he died. One of them, my friend - he died in  
6 border, with Iraqi missiles. And lots of another thing;  
7 it's hard really to forget, and sometimes it's hard to  
8 talk about it, too.

9 MS WINKELMAN: So, you were at the war, and you had asked a  
10 friend to ring for you-?

11 MR BAKHTIARVANDI: Yeah, because I had the responsibility of,  
12 in that time I had responsibility of more than 50 soldier,  
13 and I had to look after them, because we came back to  
14 Khuzestan estate and the situation was not normal  
15 situation, because the war was nearly finished, but that  
16 was war between Iran and Iraq. Not war between- not fight  
17 between Komala, Democrat, and Iranian Government.

18 MS WINKELMAN: So, this friend went to a city...

19 MR BAKHTIARVANDI: Yeah.

20 MS WINKELMAN:...to ring...

21 MR BAKHTIARVANDI: Yeah.

22 MS WINKELMAN:...Esfahan?

23 MR BAKHTIARVANDI: Yeah.

24 MS WINKELMAN: What city did he go to?

25 MR BAKHTIARVANDI: He was in Sanandaj.

26 MS WINKELMAN: Sanandaj?

27 MR BAKHTIARVANDI: Sanadaj is capital city of Kurdistan estate.

28 MS WINKELMAN: So he rings home and finds out that your father  
29 is dead, but he doesn't tell you?

30 MR BAKHTIARVANDI: No, he said everything okay. And, because my  
31 uncle, he said to him "look, if he cannot come to Esfahan,

1           don't tell him."

2   MS WINKELMAN: So, he didn't?

3   MR BAKHTIARVANDI: No.

4   MS WINKELMAN: But he tells your Major that your father's dead,  
5           and the Major knows you need to go home, and he lets you  
6           go?

7   MR BAKHTIARVANDI: Yeah. And he says "oh, nothing happened, he's  
8           really sick and he wants to see you." And exactly one day  
9           after that, I went to home, and he was died already. Nine  
10          days ago, in that time.

11   MS WINKELMAN: So, you had...

12   MR BAKHTIARVANDI: Yeah, and after that, I still I had to stay  
13          in army, because I was in the army actually nearly 31  
14          months. And nearly one year after that, my time was finish  
15          to be in army, and I came home, I went to north Iran, and  
16          I found a job in a petroleum company

17   MS WINKELMAN: How old were you then?

18   MR BAKHTIARVANDI: I think 24, 25, something like that. I went  
19          to north Iran and I find a job in a petroleum company. It  
20          was actually not... err, it was contracting of building for  
21          petroleum company.

22   MS WINKELMAN: Contracting?

23   MR BAKHTIARVANDI: Yep contracting. And I was working there for  
24          maybe two years. And after two years I went to south-east  
25          Iran again, near my city Abadan. And I was working for  
26          some electricity company. Private company.

27   MS WINKELMAN: What were you doing in the petroleum company?  
28          What was your work there?

29   MR BAKHTIARVANDI: I was working as a warehouse - look after the  
30          warehouse, and a few different private company, they was  
31          working there, and we have to give them whatever they need

1           using for building. Yep. After that I went to south-east  
2           Iran again, and I was working for electricity company. It  
3           was private company. For nearly three years.

4   MS WINKELMAN: That was in the city of Abadan?

5   MR BAKHTIARVANDI: No, this was very close to city Abadan, this  
6           was an hour and half far from Abadan. They call it  
7           Mahshahr.

8   MS WINKELMAN: Mahshahr?

9   MR BAKHTIARVANDI: Yeah, it's actually a small city. I think as  
10          small as Ballarat, because the population there was  
11          between 45 to 50,000. And I was working that private  
12          company for nearly three years.

13   MS WINKELMAN: What did you do?

14   MR BAKHTIARVANDI: I was working as a technician. Electricity  
15          technician. And after that, I find a job in petrochemical  
16          in (indistinct) city. And I was working for petrochemical  
17          - actually, for few different private company for nearly  
18          six years.

19   MS WINKELMAN: So that makes you, 33 now?

20   MR BAKHTIARVANDI: Yep. Actually, I think more than 33.

21   MS WINKELMAN: More than 33. Just go back for the army[sic] -  
22          what rank did you achieve in the army? If you were over  
23          several men, you must've achieved a rank.

24   MR BAKHTIARVANDI: Sorry?

25   MS WINKELMAN: What rank were you in the army?

26   MR BAKHTIARVANDI: The army I was involved with it's called  
27          Revolutionary Army. In Iran they have different army. The  
28          Revolutionary Army made by after the revolution in Iran.  
29          And in that time, everybody was same.

30   MS WINKELMAN: Right. No rank?

31   MR BAKHTIARVANDI: No.

1 MS WINKELMAN: You just had...you were responsible?

2 MR BAKHTIARVANDI: Yeah.

3 MS WINKELMAN: Okay. So let's go back to your petroleum company

4 then. You're more than 33, you've been working six years

5 in the petroleum company in that same city near Abadan...

6 MR BAKHTIARVANDI: Yeah.

7 MS WINKELMAN: ...and what happens next?

8 MR BAKHTIARVANDI: I was working for different private company

9 in petrochemical, with lots of different responsibility.

10 MS WINKELMAN: Such as?

11 MR BAKHTIARVANDI: First time when I start I was working for the

12 special place as a MPI test. It was test the weld line

13 with a special magnetic machine and paint. I was there for

14 a few months. After that they wants me to go work in heavy

15 polyethylene factory.

16 MS WINKELMAN: Pollutant?

17 MR BAKHTIARVANDI: Polyethylene. It's a plastic factory in

18 petrochemical. I went there and I was there for I don't

19 know how long. After that, they wants me to go to another

20 place to working as a manager for a group of special

21 painter. It was painting the acid and (indistinct) line.

22 It wasn't normal paint. After that, they want me to go to

23 another place, they call it (indistinct) styrene factory.

24 They make rubber. And I was there for, I think, last three

25 years of my job in petrochemical.

26 MS WINKELMAN: This is the same petrochemical company that has

27 taken you...

28 MR BAKHTIARVANDI: Yeah, yeah. But in that petrochemical, they

29 have different factory, and they make different

30 production.

31 MS WINKELMAN: So, the last three years - this brings you to age

1 30...?

2 MR BAKHTIARVANDI: I think...I'm not good at age, because I didn't

3 thinking about it anytime. But I was working exactly until

4 1999. And earlier 2000. Because I came to Australia 2000.

5 MS WINKELMAN: Right. So up 'til 1999, you're working in a

6 petrochemical factory?

7 MR BAKHTIARVANDI: Yep.

8 MS WINKELMAN: And what city is that?

9 MR BAKHTIARVANDI: Mahshahr.

10 MS WINKELMAN: In Mahshahr still?

11 MR BAKHTIARVANDI: Yep.

12 MS WINKELMAN: And then you leave for Australia?

13 MR BAKHTIARVANDI: Yep. After that I decided to leave the

14 country for some reason, and I left from Iran through some

15 Arabic country.

16 MS WINKELMAN: Can you show which one?

17 MR BAKHTIARVANDI: Abu Dhabi, and Bahrain. And from Bahrain to

18 Kuala Lumpur in Malaysia. And from Malaysia to Jakarta in

19 Indonesia. I was there in Indonesia for nearly two month

20 with something days. In the two big cities - first one was

21 Jakarta for 20-something days. After that we left Jakarta

22 because of some reason to Surabaya. I think Surabaya is

23 second biggest city in Indonesia.

24 MS WINKELMAN: And where were you staying?

25 MR BAKHTIARVANDI: Hotel. Because people are smuggler, they was

26 look after us, and, yeah.

27 MS WINKELMAN: Can you say how you contacted the people

28 smugglers?

29 MR BAKHTIARVANDI: I first met my smuggler in Jakarta airport.

30 Because as soon as we get in Jakarta airport, we are

31 arrested by police, Indonesian police. They said we have



1 to go back to Iran, actually to deport. My body was  
2 shaking. I couldn't believe. Because we had spend lots of  
3 money to came to Indonesia.

4 MS WINKELMAN: Who? Who? You're not alone? You're with someone  
5 else?

6 MR BAKHTIARVANDI: No. I met someone else in Shiraz airport. He  
7 came, actually. And another one also, he left in Kuala  
8 Lumpur airport.

9 MS WINKELMAN: So there's three of you who come, who arrive  
10 together?

11 MR BAKHTIARVANDI: Yeah, yeah. We didn't know each other; just  
12 we met each other in Shiraz last Iranian airport, in Iran.  
13 And yeah, we ask him "How much we have to give you to let  
14 us to go?" He said "\$200", actually American dollar,  
15 because in that time we just have American money.

16 MS WINKELMAN: For the three of you?

17 MR BAKHTIARVANDI: No, two. Because one of them - he left in  
18 Kuala Lumpur.

19 MS WINKELMAN: So it's \$100 each person?

20 MR BAKHTIARVANDI: No, \$200 each.

21 MS WINKELMAN: Each person?

22 MR BAKHTIARVANDI: Yeah. And I was quite happy. It was lots of  
23 money for them, and also for someone like me I have enough  
24 money to get to the smuggler in Indonesia to send me to  
25 Australia, or we didn't know how long we have to stay in  
26 Indonesia.

27 MS WINKELMAN: Could I just stop you for a moment? When you left  
28 Shiraz, was it?...

29 MR BAKHTIARVANDI: Yep.

30 MS WINKELMAN:...Did you know Australia was your destination?

31 MR BAKHTIARVANDI: No, I had no idea about Australia, and I

1           didn't know where I have to go.

2   MS WINKELMAN: Just to leave?

3   MR BAKHTIARVANDI: I didn't know anything about the people

4           smuggler. I find the smuggler because of that person he

5           was with me. We met each other in Shiraz airport. I didn't

6           know anything about the situation between people smuggler,

7           refugee and Australia.

8   MS WINKELMAN: So when you left Shiraz, what were your

9           expectations?

10   MR BAKHTIARVANDI: I just thinking to come to Indonesia, and

11           maybe it's easy for me to go anywhere from Indonesia.

12   MS WINKELMAN: Right. And it was no difficulty leaving Shiraz?

13   MR BAKHTIARVANDI: No, no.

14   MS WINKELMAN: Okay.

15   MR BAKHTIARVANDI: The problem was police tried to deport us,

16           because our visa was illegal visa, and they said this was

17           not right visa to enter Indonesia, and "that's why you

18           have to go back".

19   MS WINKELMAN: So you had an illegal visa?

20   MR BAKHTIARVANDI: Yep. And I didn't know anything about it,

21           because I gave my passport to someone in Iran to take it

22           to Indonesia embassy in Tehran, and pay for my visa and

23           doing everything, I didn't go. And even I did it, I didn't

24           know this is right or wrong visa. And anyway, we spent

25           \$200 each, and another police said "alright, if you need

26           your luggage, you have to pay some money to me too". I

27           said "that's okay, just give us our suitcase". We gave him

28           \$50 - \$25 each - and we came out of the airport. My friend

29           actually rang the smuggler.

30   MS WINKELMAN: Oh, he had a number?

31   MR BAKHTIARVANDI: Yeah. He had number from Iran.

1 MS WINKELMAN: So, somehow, from Iran, he had made contact with  
2 the people smuggler.

3 MR BAKHTIARVANDI: Yeah, he had his number from Iran - how, I  
4 don't know. And yeah, he came to airport and he took us  
5 with taxi to hotel. And we met another three people there,  
6 three Iranian, who came one or two days before we arrived  
7 to Indonesia.

8 MS WINKELMAN: Like you did?

9 MR BAKHTIARVANDI: Yeah.

10 MS WINKELMAN: Also with an illegal visa?

11 MR BAKHTIARVANDI: I don't remember.

12 MS WINKELMAN: From the same city, Shiraz?

13 MR BAKHTIARVANDI: No. Yeah, they arrived from Shiraz, but they  
14 wasn't living in Shiraz.

15 MS WINKELMAN: Right. That was the exit point?

16 MR BAKHTIARVANDI: Yep. Yeah, we went to hotel, we met each  
17 other, and we was there for 20-something days, in same  
18 hotel. (indistinct), the smuggler said "the time is really  
19 dangerous", because our visa was expired after 21 days,  
20 "and you have to leave the city, Jakarta. I bring you  
21 ticket for train Surabaya. Someone coming to Surabaya  
22 train station, and take you to hotel." It take us exactly  
23 12 hours from Jakarta with train to Surabaya. And a man, I  
24 forget his name, he came and - it was easy for us to  
25 recognise each other, because his face was Middle East  
26 face. We met each other and he took us to hotel. We was in  
27 that hotel for 18-20 days. After that again he said "oh,  
28 you have to move from this hotel to another hotel". He  
29 find another hotel and...

30 MS WINKELMAN: He's a Middle Eastern man, the smuggler?

31 MR BAKHTIARVANDI: Yep, yep. They was actually Iraqi.

1 MS WINKELMAN: Oh.

2 MR BAKHTIARVANDI: Yeah. And we moved to another hotel. This is  
3 third hotel in Indonesia. We was there for, I think, less  
4 than one week. And after that, he came and he said "time  
5 to go".

6 MS WINKELMAN: There's five of you now?

7 MR BAKHTIARVANDI: Yep. "Time to go. Tomorrow, six o'clock in  
8 Surabaya port with big ship to Kupang. And this is your  
9 ticket.

10 MS WINKELMAN: To "Kopeh"?

11 MR BAKHTIARVANDI: Kupang.

12 MS WINKELMAN: Kupang?

13 MR BAKHTIARVANDI: I think Kupang is some part of East Timor.  
14 That was take us from - took us from - Surabaya to Kupang  
15 48 hours with big ship, actually. More than 2000 people  
16 was on the ship. As soon as we get there, we didn't know  
17 each other. 36 refugee was on the ship, and we didn't know  
18 anything about each other, except my small group - five  
19 people. And some people was arrested by Kupang police.  
20 Arrested by Kupang police, and they paid money to police,  
21 and they release them. After 12 o'clock, we went to the  
22 hotel. Everywhere was dark - 12 o'clock in the morning.  
23 And it was 36 people. We met each in that hotel in Kupang.  
24 Three o'clock, four o'clock in the morning, smuggler come  
25 and he said "pack your stuff. Time to go." We went from  
26 some part of Kupang, it was really dark bush, and - with  
27 minibus. After a while they said "oh, come out and we have  
28 to walk from bush to the beach. And don't make any noise.  
29 If you lost each other, you can use just a small whistle".  
30 And we met each other on the beach. When we get there,  
31 Indonesian man - I don't know he was police or no - I

1 think they make movie there, with the smuggler - people  
2 smuggler. They make problem between each other for money,  
3 and we already paid for our trip to Australia to a  
4 smuggler. And they knew everyone has still a little bit  
5 money. And he said "I'm not gonna send anybody. You didn't  
6 give me money." the Indonesian man to the smuggler. "and  
7 you have to give me money now, otherwise I'm not gonna  
8 send anybody to Australia." He had a small gun, and he  
9 shook the gun. It was really a scary time.

10 MS WINKELMAN: And was someone making a movie of this?

11 MR BAKHTIARVANDI: No. It was just - they making movie between  
12 each other to make us to give them our last money, you  
13 know?

14 MS WINKELMAN: Oh I see. It's a setup.

15 MR BAKHTIARVANDI: Yes. And the smuggler asked every single  
16 person. I said "look, I have no money". I had \$150  
17 American dollar still. I said "Look, I haven't any money.  
18 I already paid you, and doesn't matter, if you don't want  
19 to send me to Australia, give me money back now, I'm going  
20 to Kupang to police and going to Indonesia - to Jakarta or  
21 Surabaya, it doesn't matter." They take us - they take our  
22 passport. They said "oh, it's not good for you to have a  
23 passport in Australia." Anyway, the movie was finished,  
24 and they said "you have food, water, coffee, sugar, life  
25 jacket, everything on the boat. And after eight hours,  
26 you'll be in Australia".

27 MS WINKELMAN: So, they setup this little scene, a little drama...

28 MR BAKHTIARVANDI: Yep, yep.

29 MS WINKELMAN: ...some people gave money?

30 MR BAKHTIARVANDI: No.

31 MS WINKELMAN: Oh, nobody gave money?

1 MR BAKHTIARVANDI: No.

2 MS WINKELMAN: You were the spokesperson for this group?

3 MR BAKHTIARVANDI: No. They ask every single person...

4 MS WINKELMAN: ...and everybody said no?

5 MR BAKHTIARVANDI: Yep. And the only information they gave us

6 about Australia - they said "after eight hours you be in

7 Australia. You going to under the United Nation control.

8 You'll be in detention centre for maximum three months for

9 just serious medical check, and after three months you'll

10 be free." That's my, and everybody, information about

11 Australia. When we went inside the boat, we didn't see

12 anything of like lifejacket, food - except some noodles,

13 some coffee, sugar, and expired water bottle. It was

14 expired, and taste was really bad. I said to myself "for

15 eight hours, doesn't matter." And twenty-fours gone, we

16 couldn't see anything except water. And sometimes, in the

17 day time, the small island of part of Indonesia. Forty-

18 eight hours gone, couldn't see anything, except water.

19 MS WINKELMAN: The boat has a motor?

20 MR BAKHTIARVANDI: Yeah, yeah. And we was 36 people, two

21 Indonesian man. There was a Captain and a helper. The boat

22 was very small. Few woman was there. I think one or two of

23 them was pregnant.

24 MS WINKELMAN: How many women?

25 MR BAKHTIARVANDI: I think four, or five. One or two of them was

26 pregnant. And they was Muslims woman. It was really hard

27 for us to sit next to each other.

28 MS WINKELMAN: Because?

29 MR BAKHTIARVANDI: Because they was Muslims and we can't sit

30 next to each other, because of...

31 MS WINKELMAN: A man and a woman?

1 MR BAKHTIARVANDI: Yeah, yep. And in the night time, weather was  
2 very cold. In the day time, we didn't know what was going  
3 on.  
4 MS WINKELMAN: There were no beds, in the boat?  
5 MR BAKHTIARVANDI: Sorry?  
6 MS WINKELMAN: No beds?  
7 MR BAKHTIARVANDI: No - it was really a small boat.  
8 MS WINKELMAN: Just benches?  
9 MR BAKHTIARVANDI: No, nothing. We going inside the boat,  
10 because they said "for next few hours" - they didn't say  
11 next 24 hours or more than 20 hours - "It's better nobody  
12 can see you, and if some ship or anybody see you they can  
13 think 'oh, this is a fishing boat'."  
14 MS WINKELMAN: So you were in a space inside the boat?  
15 MR BAKHTIARVANDI: Yeah.  
16 MS WINKELMAN: With no seats?  
17 MR BAKHTIARVANDI: No. No seats. Just like that, you know? And  
18 it wasn't flat. And nearly three days take, took us to see  
19 one big ship in the earlier morning - three, four o'clock  
20 in the morning. They didn't care about us. They just left.  
21 After that, we saw the light of customs ship.  
22 MS WINKELMAN: The big ship knew you were there, knew you were  
23 on board?  
24 MR BAKHTIARVANDI: Yeah, but they didn't care us... (indistinct)  
25 care and they left us. And the situation on the water was  
26 very hard. Very strong wind. It was really a scary.  
27 Everybody was thinking 'oh, we die soon'. We had to take  
28 the water out of the boat, because the water come from  
29 down. And finally we saw customs ship. They warning us to  
30 stop with the light - this was earlier morning. They came  
31 with a small boat and they said "you have to go back to

1 Indonesia". The Captain of ship, of boat, said "I cannot  
2 do anything like that. If I'm going with these people they  
3 will kill me." They said to him "you're going to jail for  
4 three months". He said "doesn't matter. But still is  
5 better than going back with these people to Indonesia, to  
6 Kupang". And they said "okay, stay here until we come  
7 back." They went to big ship and I think they contact  
8 Australian government or whatever, and they coming back  
9 and they said "you are under the Australian Government  
10 arrest".

11 MS WINKELMAN: *That's a good place to stop.*

12 *Ali Bakhtiarvandi Tape 2.*

13 Ali, you were saying that the Customs ship came into  
14 sight.

15 MR BAKHTIARVANDI: They said "you are under the Australian  
16 Government arrest." And everybody was happy, because they  
17 thinking we survived that hard situation on the sea. They  
18 took us to near the Ashmore reef area.

19 MS WINKELMAN: You stayed in the boat?

20 MR BAKHTIARVANDI: Yeah. And they said "you have to stay until  
21 two ship coming to take you to Australia.

22 MS WINKELMAN: You're still on the boat at this point?

23 MR BAKHTIARVANDI: Yep. And everybody was on the boat - women,  
24 children, singles. And it was take 48 hours for the two  
25 army ship coming. One of them for families, and one of  
26 them for single people. From there to Darwin - actually,  
27 we didn't know where we going, they just said 'Australia'  
28 - it was 48 hours again, from Ashmore reef to Darwin. And  
29 we went to somewhere in Darwin. They check everything we  
30 had. And we was there until 10 o'clock, 11 o'clock in the  
31 night. And we had (indistinct) police every single people,



1 person, and about the smuggler, some different question.  
2 Security (indistinct) company was there. Few people from  
3 Immigration Department was there as well. After 10, 11  
4 o'clock, they take us to Darwin airport, and we went from  
5 Darwin to Port Headland.

6 MS WINKELMAN: By plane?

7 MR BAKHTIARVANDI: Yep. We went to isolation block, they call it  
8 Juliet block. And it was really a scary block for first  
9 time when you came to Australia and sees lots of security,  
10 because we didn't know anything about detention centre, or  
11 what's going on.

12 MS WINKELMAN: Can you describe it?

13 MR BAKHTIARVANDI: It was double story block with a small room  
14 for double bed, and metal door for each room. And straight  
15 away, the Supervisor, she was very horrible person. She  
16 start to fight with us straight away.

17 MS WINKELMAN: How?

18 MR BAKHTIARVANDI: I don't know, because she didn't like us to  
19 come to Australia, but this was her job, and we actually  
20 making money for them. Without any refugee, they couldn't  
21 working in that company or security of detention centre -  
22 but I don't know why she was angry. Next day they send our  
23 block to another block - they call it 'India' block.

24 MS WINKELMAN: Was this all of you together, or just for  
25 singles?

26 MR BAKHTIARVANDI: No, no, no. All together - families and  
27 single, but they have different room. And we went to next  
28 block. We wasn't allowed to come out for fresh air, except  
29 for less than one hour in the morning, and less than one  
30 hour in the afternoon time.

31 MS WINKELMAN: What was it like inside?

1 MR BAKHTIARVANDI: Inside was too boring, and also a little bit  
2 scary, because they cover behind the window with some  
3 metal - you couldn't see anything, even the light couldn't  
4 come in inside the room. We have no any contact with  
5 anywhere. We have no TV. No telephone. No newspaper. No  
6 anything. And just they bring the food. Breakfast, lunch,  
7 and dinner.

8 MS WINKELMAN: So there was a common room? You had your private  
9 room?

10 MR BAKHTIARVANDI: Yeah, private room, and living room. And I  
11 was there for nearly one month. After one month, they  
12 start to take people for interview with Immigration. My  
13 interview was starting in the late night - actually, after  
14 10 o'clock.

15 MS WINKELMAN: And this is what year?

16 MR BAKHTIARVANDI: Sorry?

17 MS WINKELMAN: What year is this?

18 MR BAKHTIARVANDI: 2000. Because I came to Australia fifth of  
19 June. And I think in July I had my first interview with  
20 Immigration Officer - after 10 o'clock, 11 o'clock in the  
21 night. Still I did know what's interview or this is an  
22 interview or investigation, or something like that. When I  
23 went to the room, I saw two ladies - one of them was  
24 Iranian interpreter, and one of them Immigration Officer.  
25 The Iranian lady said to me - I forget both name - "she  
26 said she wants to ask you some question, and this is an  
27 interview between you and Immigration. I'm an  
28 interpreter." And I said "Can I ask her something". She  
29 said "Yeah." I said "I don't know anything about interview  
30 or what you mean about it, but I know about the  
31 investigation. And in any investigation they close their

1 eyes and put handcuff on hand and I really wants to  
2 knows..."

3 MS WINKELMAN: Interrogation, you mean?

4 MR BAKHTIARVANDI: Yeah. And she said - Immigration officer said

5 "No. You don't have any reason to be scared. We are just  
6 two ladies sitting here and you are free to ask any  
7 question and give me answer of my question". I was a  
8 little bit happy. This take me I think more than an hour.  
9 I went back to different block, and I think less than 10  
10 days after that, I have interview with lawyer. It was  
11 second, my interview. One of the hardest thing is was  
12 interview with that lawyer from some company in Melbourne,  
13 actually. I don't know I'm allowed to say their name, or  
14 the lawyer name, but it was horrible time in that - since  
15 I came to Australia until visiting that lawyer. He was  
16 treat me like a very angry person, like an angry judge, or  
17 something like that.

18 MS WINKELMAN: He was angry?

19 MR BAKHTIARVANDI: Yeah. Finally, after my interview I said

20 "look. I think you are my lawyer, but you was treat me  
21 like I'm a criminal person." He said "no, this is my job  
22 and I have to do this." I said "By the information I have  
23 from any lawyer, you know, they not treat their client  
24 like that, and I'm sorry I wasn't happy with you." Nearly  
25 two hours I was talking to him -

26 MS WINKELMAN: Two hours?

27 MR BAKHTIARVANDI: - or maybe more than two hours. And he make

28 very, very shorter statement of whatever I say to him. He  
29 said "look, whatever you say to me, it's between me and  
30 you. This is your statement, and this is my statement. I'm  
31 not allowed to give this statement to anybody. That's

1 fine". After that, I had my third interview with  
2 Immigration Officer, and I saw my statement exactly same,  
3 from my lawyer, in my third immigration officer hand. I  
4 was wondering 'he say to me everything be secret between  
5 me and you. Why he give my statement to Immigration?' In  
6 that time I couldn't ask anything, because I had lots of  
7 histories. I was scared of my situation, and I just start  
8 to talk with Immigration Officer. That interview finished.  
9 After I think two weeks, or maybe more than two weeks,  
10 they call me to interview with Federal Police. Interview  
11 with Federal Police took me three hours, and exactly three  
12 days after that, I get refusal from immigration.

13 MS WINKELMAN: What did the refusal say?

14 MR BAKHTIARVANDI: They believe some part of my case, and they  
15 refused it two reason, which is make me come out of  
16 (indistinct). And it was make me to thinking 'okay, I  
17 didn't get refused from Immigration. I get refused from  
18 the decision which was made by Australian Federal Police.  
19 And the decision from immigration it was involved with  
20 decision from Federal Police.' They never give me any copy  
21 of Federal Police report or decision or anything like  
22 that. But I was sure 100-percent they was involved to each  
23 other. After that, actually after my third interview - two  
24 hours, three hours after that - they let me come to  
25 compound. Compound was different by - not actually too  
26 much different, but a little bit different by isolation  
27 block, because everybody was free in the compound. And we  
28 can contact with our family, or our friend, or whatever. I  
29 don't remember we had TV that time, but some people they  
30 had radio - they can listen to radio. Every night before  
31 12 O'clock in the morning we have to go to our block, and

1 around each block they have fences, and they lock that  
2 gate until the next morning. Not lock the block, lock the  
3 fence around the block. And we was there until next day,  
4 and they open the gate and we can come to everywhere in  
5 the compound, or go to the restaurant for breakfast,  
6 lunch, and dinner. Pretty soon I get really tired, and I  
7 was thinking 'there is no way for me to stay in this  
8 situation for a long time'. I start - I actually start to  
9 not eating. For 18 days I didn't eat anything. Just drink  
10 water. In day 18 they call me for some medical check. I  
11 went to medical and the nurse said "you didn't eat  
12 anything for a long time. We're worried for you, and we  
13 need you to stay in isolation room for one night. And we  
14 have to look after you tonight." I said "if it's just for  
15 one night, it's fine. More than one night, I'm not gonna  
16 stay." They said "no, just one night." One night took me  
17 for one month in isolation room. People inside the  
18 compound they get very angry, they call Immigration  
19 Manager and (indistinct) manager - the security company  
20 manager. And they said "the only way, if he has start to  
21 eating, he can come out next day. Otherwise, no." And they  
22 said to detainees "you can do whatever you like. It means  
23 if you wanna broken everything, or doing everything - it's  
24 fine." I didn't start to eat, and they let me to have  
25 visitors from detention centre people - detainees, because  
26 in that time they have no any visitors from outside. And  
27 afterwhile they cut my visitors. They didn't let me have  
28 fresh air for 18 days. Eighteen days I didn't see anything  
29 outside the room. I was just allowed to use bathroom  
30 inside that block and shower once a day before shift  
31 change. Shift change was I think 6 o'clock in the evening,

1           or seven o'clock.

2   MS WINKELMAN: This is the second month in isolation, then?

3   MR BAKHTIARVANDI: Sorry?

4   MS WINKELMAN: Are we into the second month of isolation?

5   MR BAKHTIARVANDI: Yeah. This is the isolation room.

6   MS WINKELMAN: So you were on hunger strike?

7   MR BAKHTIARVANDI: Yep.

8   MS WINKELMAN: For, err, eight- err

9   MR BAKHTIARVANDI: After 18 days, they transfer me to isolation

10           room.

11   MS WINKELMAN: And you were there for one month, and then?

12   MR BAKHTIARVANDI: Yeah. Still I was there. I'm telling you...

13   MS WINKELMAN: Oh this is the month? You were (indistinct)

14   MR BAKHTIARVANDI: Yep, yep.

15   MS WINKELMAN: And you're still not eating?

16   MR BAKHTIARVANDI: No, no. And I start to take my tablet,

17           because I had problem with my stomach. And every day they

18           took me to medical, check my blood sugar, and something

19           else. They was talking to me to start eating, I said "I'm

20           sorry."

21   MS WINKELMAN: Because? You-

22   MR BAKHTIARVANDI: Because there was no reason for them to keep

23           me there and also the situation was really hard to stay.

24           It was really hard for someone like me to cope with that

25           situation.

26   MS WINKELMAN: Where your application had been refused?

27   MR BAKHTIARVANDI: Yep. And by that time we had lots of

28           information from people who was in detention centre, and

29           we meet them after my interview, they was there for more

30           than a year. I was thinking 'oh, there is no way for me to

31           go out - people here more than a year. How come I can go

1 out?' And I was in the isolation room. The isolation room  
2 was very small room. Very dark room. With the camera on  
3 the corner. And they covered the wall around the room with  
4 some hard (indistinct), like a mattress, and it was dark  
5 colour, I think very dark green or grey colour. No window.  
6 And always cold. I had no bed, except no pillow, except  
7 one doona. And no clothes except one white material like a  
8 hospital...

9 MS WINKELMAN: gown?

10 MR BAKHTIARVANDI: gown. Yep. And they didn't wash - they didn't  
11 let me to wash that for one month. They said "we haven't  
12 any more. If you wash that, you have nothing to wear." And  
13 in day 46 they coming and show me some paper. And they  
14 said "we received a fax from Phillip Ruddock, Immigration  
15 Minister, and he said if you're not starting to eat until  
16 next 48 hours, doctor can force you." I said "that's okay.  
17 I'm not gonna start it, because I have two way - freedom,  
18 or died in detention centre. This is my choice. If you  
19 thinking you can force me to eat, just do it. I'm not  
20 gonna start." In that time they moved me by wheelchair,  
21 because I couldn't walk. It was 46 days I didn't eat  
22 anything. I lost weight from 63, 60-something to 53. I  
23 lost 15 kilogram. More than actually 15 kilogram. And  
24 nobody was allowed to give me cigarette, except one of the  
25 supervisor, he was very nice young man, and sometimes he  
26 took me to bathroom and he said "look, I give you  
27 cigarette. Don't say anything to anybody. And after your  
28 cigarette finish, I will shower and come out. If they  
29 knows I give you cigarette, I lost my job." He was really  
30 nice to me. And I cannot thinking 'okay, he was try to be  
31 nice to me to make me to start eating', because before I

1       went to isolation, and also after that time, I always see  
2       him nice to everyone. And he was 100 percent different by  
3       most of the security guard was there. In day 48 I was laid  
4       down on the floor of the isolation room. They come and  
5       open the door, and I try to get up, and they said "no,  
6       just lay down". I didn't know what's happening. Few  
7       officers, one with video camera, doctor, two nurses,  
8       supervisor. Two officers was hold my leg very hard.  
9       Another two of them they hold my arm. I really couldn't  
10      move. They didn't need four officer to hold my body to  
11      feed me by force, because I had no power, I had no energy.  
12      I lost everything in last 48 days. And supervisor she said  
13      - and put my head between her leg, her knee. And doctor  
14      and nurse try to put some tube from my nose to my stomach.  
15      They use some - something liquid, cream colour - I don't  
16      know. I didn't know the name. And it was very hard for me  
17      to breathing since they put the pipe inside. And yeah,  
18      they take the film of that situation, and they left. They  
19      left and still I was there in isolation room - actually,  
20      they change my isolation room to Juliet block isolation  
21      room for another week or 10 days, and after that they  
22      release me. And..

23   MS WINKELMAN: Did they continue to force feed you every day?

24   MR BAKHTIARVANDI: No, actually they let some close friend from  
25      detention come to visit me, and they was talking to me,  
26      and they said "look, you cannot do anything about it. With  
27      not eating, or even kill yourself. You have to start  
28      eating. And you have to be strong.

29   MS WINKELMAN: Your friend said this?

30   MR BAKHTIARVANDI: Yeah.

31   MS WINKELMAN: Can you say his - the name of the friend?



1 MR BAKHTIARVANDI: I'm not sure, because...

2 MS WINKELMAN: Oh fine. That's fine.

3 MR BAKHTIARVANDI: Yeah, yeah. But, yeah, actually one of them

4 he went back to Iran. His name was Paemon. And he said

5 "look, you have to be strong to continue to fight with

6 this situation. Fight as a single person is not going to

7 work." And I was thinking 'he is right', because after 48

8 days, I didn't do anything - just making problem for my

9 physical body. And I start to eating, but I actually

10 couldn't eat very well, because I didn't eat for long

11 time, and it was hard for me to eat. I had no feeling to

12 eat anything.

13 MS WINKELMAN: No desire?

14 MR BAKHTIARVANDI: Yeah. And after a week or 10 days, they let

15 me to come back to compound again. After that, I had my

16 RRT Refugee Review Tribunal.

17 MS WINKELMAN: Your?

18 MR BAKHTIARVANDI: My RRT - Refugee Review Tribunal.

19 MS WINKELMAN: Tribunal? Oh yeah. Refugee Review Tribunal.

20 MR BAKHTIARVANDI: Yes. And I put request to contact my lawyer -

21 actually, that company they changed my lawyer, they gave

22 me another lawyer. She didn't contact me with my request.

23 A day after my RRT she contact me - and some security

24 guard coming and saying "oh, you have a phone call with

25 your lawyer". I said "which lawyer? I don't need any

26 lawyer - my RRT was yesterday, and I had to talk to her

27 before my RRT, not now. She cannot do anything about it

28 now." I went and pick up the telephone and said "look, I

29 was really wants to talk to you before my RRT, no now. My

30 RRT was yesterday, and you cannot do anything about it

31 now. Have a good time. Bye." I hung up the telephone,

1 because I had some important question to ask her, and she  
2 didn't contact me, and I didn't talk about that situation  
3 in my RRT, because something was happen after my third  
4 interview and before my RRT. And I had to talk about it  
5 with my lawyer to make sure it's right for me to talk  
6 about it or no. And she didn't contact me. I was really  
7 angry with her.

8 MS WINKELMAN: Can you say what that situation was?

9 MR BAKHTIARVANDI: Not really.

10 MS WINKELMAN: Okay, fine.

11 MR BAKHTIARVANDI: Yep. And I lost (indistinct) and nearly same  
12 decision as - first my decision, actually Immigration  
13 decision, the refusal. I appealed to Federal Court. My  
14 lawyer in Federal Court, she said "you cannot do anything  
15 about it, with that second situation, and because you  
16 didn't say anything about it in your RRT." I said "I  
17 didn't say anything because I didn't know I can talk about  
18 it or no. I tried to contact my lawyer, she didn't ring me  
19 back, and the phone call between detainees and their  
20 lawyers come through from the Immigration Department. I  
21 cannot ring her from public phone in detention centre. It  
22 has to be through the Immigration Department. That's why I  
23 didn't rang her." And she said, "I'm sorry. You have no  
24 chance in your Federal Court." I said "That's fine." I  
25 lost my Federal Court, and...

26 MS WINKELMAN: When - when was that? How far - long after the  
27 RRT?

28 MR BAKHTIARVANDI: I think few months after RRT.

29 MS WINKELMAN: And you're still in Port Headland?

30 MR BAKHTIARVANDI: Yep.

31 MS WINKELMAN: And it's 2000-and?

1 MR BAKHTIARVANDI: 2000. (indistinct). I've got some problem  
2 with my left leg, and the doctor said "some nerves in your  
3 leg cut, and it's belong to the last time when you was  
4 sleeping, it's take two years to be fix, and I can just  
5 send you to physiotherapy." I said "that's fine."  
6 MS WINKELMAN: The nerves where cut while you were asleep?  
7 MR BAKHTIARVANDI: Yeah.  
8 MS WINKELMAN: By somebody else?  
9 MR BAKHTIARVANDI: No. He said in some position you put your leg  
10 when you was sleeping, and this was happen. Without any  
11 accident or anything like that. I said "that's okay,  
12 physiotherapy is good". I was waiting for physiotherapy I  
13 think more than two months. And every day Medical Centre  
14 in detention said "tomorrow", "next week", "after  
15 tomorrow" - I get really tired, because it was very hard  
16 for me to walk, because I couldn't use my left leg. And I  
17 start again to not eating. Twenty one days I was - I  
18 didn't eat again. After one week, I think - no, actually  
19 last week of 21 days, they took me to isolation again.  
20 Different isolation room. And they said "you have to  
21 eating. After that, you can go to physiotherapy." I said  
22 "I'm not gonna do this. First physiotherapy, after that I  
23 start to eat, because there is no way for me to trust you.  
24 More than two months I'm waiting. 'Today', 'tomorrow',  
25 'next week', '10 days', and you didn't send me. I've got  
26 this problem in detention centre - you have responsibility  
27 to fix my problem, because you keep me here. Now you wants  
28 me to eating and keep me here or send me back to compound  
29 for another months with my problem. What's going on  
30 after?" The member of committee of detainees in detention  
31 centre they make meeting with Immigration Manager and also

1 ACM manager. They promise them - ACM and immigration -  
2 they promised committee member of detainees, to send me to  
3 physiotherapy very soon if I start to eat. They come to  
4 visit me and they said "if you start eating, they promise  
5 us to send you to physiotherapy." I said "when? Now is 21  
6 days I didn't eat, and if they cannot look after me and  
7 everybody else, it's better for me to kill myself, you  
8 know?" And they said "No, just please start." And the next  
9 day they send me to physiotherapy once. Actually, they  
10 send me to physiotherapy in Port Hedland hospital. The  
11 young girl was there, she gave me piece of paper, and she  
12 said "you have to do some exercise, whatever they said in  
13 that paper." Just finish. And they send me back to  
14 detention centre. This was my physiotherapy. After that,  
15 still I don't know for what reason, and I don't know how  
16 long after - this was in 2001, earlier 2001, I think. They  
17 put me in isolation again. In that horrible room. And they  
18 making big problem inside the detention centre. They  
19 bashed detainees. 'They' means ACM security.

20 MS WINKELMAN: There was a reason why they put you back into  
21 the detention...

22 MR BAKHTIARVANDI: No. They did say me anything.

23 MS WINKELMAN: ...no reason?

24 MR BAKHTIARVANDI: I went to took my medication in the night  
25 time, and they took me to isolation room. And after that I  
26 heard from the security guard on the passage of that  
27 isolation room, block, something happen in detention  
28 centre, inside the compound. And that was fight within ACM  
29 guard and detainees. And the next day with police they put  
30 some people in South Hedland Police Station. South, South  
31 Hedland is very small country town near the Port Hedland.

1 I think 15 minutes far from Port Hedland. And after one  
2 week they took me there as well, to that Police Station,  
3 to keep with some of my friend. There was really dirty  
4 jail. All the wall, and floor, and everywhere full of  
5 dirt. I cannot say full of what. And after two days when I  
6 was there, I said "I have to see..." - because Asian  
7 security guard was look after us, not police - I said to  
8 some of the officers "I have to see supervisor". He said  
9 "I'm sorry, you cannot." I said "that's okay. If anything  
10 happen to me tonight, it's your responsibility. It means,  
11 if I kill myself, my friend all knows now. I told them.  
12 And this is your responsibility. They are my witness."  
13 After short time, maybe 10 minutes, 15 minutes, they call  
14 me and they open the cell and come out. They took me to  
15 somewhere else and search all my body without any clothes.  
16 They put handcuff on my hand, they took me back to  
17 Detention Centre in that horrible room. And after exactly  
18 two days, or three days, with various special security  
19 control, they took us to Port Hedland airport.

20 MS WINKELMAN: So you all went back from South Hedland, not just  
21 you?

22 MR BAKHTIARVANDI: No, no. Just they took me back. People was  
23 there. They to me from Port Hedland detention to airport,  
24 and took them from South Hedland Police Station to  
25 airport.

26 MS WINKELMAN: And you had been in the isolation room again, in  
27 Port Hedland, when they took you back to that room?

28 MR BAKHTIARVANDI: Yeah.

29 MS WINKELMAN: To the isolation room?

30 MR BAKHTIARVANDI: Yeah.

31 MS WINKELMAN: And then you went to the airport?

1 MR BAKHTIARVANDI: Yep. And around airport was security guard.

2 ACM and police security guard. It's like they wanna  
3 transfer few really dangerous people from Port Hedland to  
4 somewhere else. We didn't know what's happening. And they  
5 took me to very small airplane. Very small. It was, I  
6 remember, nine chair, with another two detainees. Another  
7 two single detainees with Iranian, Iraqi family to a  
8 little bit bigger airplane. And we went to Perth.

9 MS WINKELMAN: Perth?

10 MR BAKHTIARVANDI: Yep. ACM car was there, with ACM security for  
11 that two single people they was with me in the airplane,  
12 and they put handcuff on their hand and take them to Perth  
13 Detention Centre. And they let me to come out with two  
14 security guard. One of them actually ACM manager of  
15 Maribyrnong Detention Centre - and that time I didn't  
16 know. And I think his name was 'Tony'. He was nice man.  
17 And he said "look, we have another five of us flew, fly,  
18 and if you need to use bathroom, or need some drink, you  
19 are free if you wanna walk, you are free, but don't go too  
20 far." It means he let me to be a little bit free. I think  
21 that was my only time a little bit was free without any  
22 security. After a short while we went to Maribyrnong  
23 Detention Centre.

24 MS WINKELMAN: In...

25 MR BAKHTIARVANDI: From Perth to...

26 MS WINKELMAN: ...Melbourne?

27 MR BAKHTIARVANDI: ...Melbourne. Even in Melbourne Airport, I  
28 asked the security guard - who came from Maribyrnong  
29 Detention Centre to take me there - "which city is it?"  
30 They said "oh, we don't know". Because I didn't know  
31 Melbourne, Sydney, or anywhere in Australia in that time.

1 I said "that's okay". When I went to Maribyrnong Detention  
2 Centre still I didn't know anything. I saw two of my  
3 friend, they came from Port Hedland in the same time with  
4 different airplane, and I ask them "which detention centre  
5 is this?" They said "This is Maribyrnong Detention Centre  
6 in Melbourne." I said "oh, I was thinking it was Sydney,  
7 'cause I - in the night time when we came to Melbourne and  
8 everywhere was - you can see lots of light and big city -  
9 and they said "no, this is Maribyrnong Detention in  
10 Melbourne". Anyway...

11 MS WINKELMAN: When was this? 2000-and?

12 MR BAKHTIARVANDI: 2001. And in the next, next two days after we  
13 went there, we got some visitors from outside. And one of  
14 them she is a very famous person in Melbourne and lots of  
15 people they know her, and another one from Refugee Action  
16 Collective group. Both they organised for some lawyer to  
17 come to see us, because there was three - three people  
18 from Port Hedland. And they was talking about us in that  
19 time in, I think, The Age newspaper, because I saw the  
20 print with our name. And, yeah, they was there -  
21 Maribyrnong Detention Centre was very small detention  
22 centre. It was hard to be there for long time. The only  
23 thing different between Maribyrnong and Port Hedland  
24 Detention Centre for us - we had three times visitors -  
25 morning, afternoon, and night time. And another thing  
26 same. Something maybe worse than Port Hedland - like food.  
27 In Port Hedland, food was Middle East food, but in  
28 Maribyrnong it was different, because few different  
29 nationality was there. We had Vietnamese, Chinese,  
30 Pakistani, Iranian, and Iraqi, and all people they have  
31 same food. Our room was small and for four people. No door

1 for the room. The light on and off with central office.  
2 They had no exactly time to turn off or turn on the light.  
3 Sometimes this take two o'clock in the morning, sometimes  
4 eight-thirty or nine o'clock in the night. I already knew  
5 what they doing, because they always try to making people  
6 angry, and make them to do something in detention centre,  
7 and talk about it in the media as a dangerous, or  
8 terrorist, or criminal people in detention centre to make  
9 Australian people scared of us. That's why since I was in  
10 detention centre, I was never happy with any situation  
11 like that - broken something, or smash the window, or make  
12 a fire, or whatever. I was happy to stop eating, even for  
13 two months, but I wasn't happy to broken anything, or have  
14 a physical fight with security guard. It wasn't nice and  
15 good to me. Before I came to Maribyrnong Detention Centre,  
16 by the thing I saw in middle of 2000, since I came to Port  
17 Hedland Detention Centre, I was thinking 'we had big  
18 mistake to come to Australia, because this is 100-percent  
19 racist country' because we couldn't see anybody nice,  
20 because we have no contact with people outside, and we had  
21 no visitors - we just can see each other, some security  
22 guard, and Immigration officer. And that was making us to  
23 thinking like that - 'this is a horrible country. Why we  
24 came to this country?! How we can be free of this  
25 country?' Straight away when I came to Maribyrnong  
26 Detention Centre and people start to visiting us. My mind  
27 was change, because I saw lots of nice people. They forget  
28 their problem, they using their special time from their  
29 life, they coming to visit us, and they care about us.  
30 They was different people - lawyers, doctor, student, old  
31 people, young people. And it was really nice to see them.



1       It was make us to cope with situation inside the Detention  
2       Centre when we coming back from visit inside. And there  
3       was - I met my ex-wife. She was visiting Afghani lady with  
4       her three kids, and she heard about my story in Port  
5       Hedland Detention Centre. She come and she was crying and  
6       I said "What's wrong? What's happening?". She said "I  
7       heard your story, and I get really sad. And I was  
8       wondering..." - the time was nearly finished for that visit  
9       - "I was wondering if I can to visit you." I said "I'm  
10      happy if you like to come to visit me, but if you wanna  
11      cry, no, please, because we have lots of sadness/sorry  
12      everyday inside the detention centre, you know? It's not  
13      nice for me to see someone coming and crying because of my  
14      situation." And she said "no, I'm not gonna cry". I said "  
15      that's fine, if you wanna come to visit, that's fine. I  
16      have lots of visitor, you can come too." She come to visit  
17      and after few times she ask me if she can marry me. I said  
18      "That's fine, if you thinking we can marry forever, I'm  
19      happy." Because she's a very lovely person. And she was  
20      very happy. She came to visit me everyday, sometimes three  
21      times a day - morning, afternoon, nighttime. As soon as  
22      Immigration Department they knows we want to engage, in  
23      the morning time in 2002 - I think, because I was in  
24      Maribyrnong Detention Centre for 16 months - they call for  
25      my special doctor, because my lawyer was organising it,  
26      doctor from outside to come to visit me to check my  
27      problem with my stomach and my leg. When I went to part of  
28      immigration in detention, they put me in isolation room,  
29      and after a few minutes, immigration manager come and she  
30      said "I'm sorry, Ali, you have to go back to Port Hedland.  
31      I received a fax from Canberra. There is not enough bed in

1 Maribyrnong Detention Centre." I that time exactly I never  
2 forget - 24 beds was empty, when say to me. I said "that's  
3 okay. They send you fax, I have to go to Port Hedland,  
4 that's fine."

5 MS WINKELMAN: When was this?

6 MR BAKHTIARVANDI: In 2000 in Maribyrnong - 2002 in Maribyrnong  
7 Detention Centre. "Alright, I'm going back. Just let me to  
8 ring my lawyer and let him know," - my lawyer was Julian  
9 Burnside in that time - "and also, let me to pack my stuff  
10 in my room." She said "No, you are not allowed to go in."  
11 "Why I'm not allowed to go in?" "I don't know, this is the  
12 rule." Before that, few months before that thing, actually  
13 more than few months, maybe more than six months before  
14 that, I had problem with my tooth, and every day they gave  
15 me different antibiotic. They said "if you wanna go to see  
16 dentist, you have to use handcuff." I said "there is no  
17 reason for you to put handcuff on my hand. From Port  
18 Hedland you bring me here without any handcuff, I didn't  
19 do anything. I was free in Perth Airport and there is no  
20 report about me to doing something illegal in that time or  
21 since that time until now. If you tell me why you have to  
22 use handcuff on my hand, I'm happy to use it." They said  
23 "Because your immigration process was finish, and they  
24 thinking you might be try to escape". I said "Look, I  
25 escape one time from my country to Australia, this is  
26 caused me to stay in detention centre at the moment more  
27 than two years. I'm not going to do this again in my life.  
28 One mistake, that's enough. Good experience." She said  
29 "I'm sorry this is a rule and you have to use." It take  
30 more than three months to fight with them to go to visit  
31 dentist without handcuff. Finally my visitors and some

1 people said "there is no way for you, and you should go.  
2 How long you can use antibiotic and have pain all the  
3 time?" I decided to go to see dentist. They put handcuff  
4 on my hand in detention centre, and they take it off when  
5 I come back. It means when the dentist pull out my tooth  
6 one by one, handcuff was on my hand. He pull out five  
7 teeth straight away, one by one, because all was broken  
8 and they didn't want to spend money to fix it. Five  
9 together. And then I come back. The security guard who was  
10 with me said "Can I tell you something?" I said "yeah,  
11 that's fine" - I couldn't talk actually very well, in that  
12 time - he said "I think you are crazy, because if they  
13 kill me, I never let them to put handcuff on my hand and  
14 let the dentist to pull out my five teeth in just 10, 15  
15 minutes." I said "There is no way for me to doing  
16 anything. And I have no choice. You might be doesn't know,  
17 but I have problem more than three months at the moment.  
18 How long I can cope with this situation?" And, yeah, they  
19 sent me back to Port Hedland, and straight away I had two  
20 visitors. After that two visitors, I had my fiancée in  
21 that time, she came to visit, and reception said "he's not  
22 in Maribyrnong Detention Centre, and we don't know where  
23 he gone." And she was crying and crying and they didn't  
24 tell her "we sent him to Port Hedland" until I rang her in  
25 the night-time to her home. I said "I'm fine, and I'm in  
26 Port Hedland now". And she was crying. She said "they  
27 didn't tell me anything". And I was there for, I think,  
28 two days in isolation block - not isolation room,  
29 isolation block, with some people came from Curtin  
30 Detention Centre. In that time they try to close Curtin  
31 Detention Centre as well. And after that they let us to

1           come to compound in Port Hedland again. And I came to  
2           compound, I saw some people from - I remember them from  
3           2000 when I came to that detention centre. And they was  
4           very happy to see me, and I was very happy to see them.  
5           Everything was same as before. A little bit they treatment  
6           was different.

7   MS WINKELMAN:   How?

8   MR BAKHTIARVANDI: because I think Immigration wants them to be  
9           a little bit better with detainees. And not the time - as  
10          they soon as they thinking they have to making problem in  
11          detention centre, they make problem for detainees, to talk  
12          about it in media, in newspaper, news, radio. Even for  
13          some small reason.

14                   \*\*\*\*\*END OF TAPE 2\*\*\*\*\*

15   MS WINKELMAN:   Ali Bhaktiarvandi Tape 3. You were saying you  
16          were returned to Port Hedland in 2002.

17   MR BAKHTIARVANDI: Yep. I went to Port Hedland and my ex-wife,  
18          actually, she rang me and she said "as soon as I can, I  
19          gonna (indistinct) with someone and coming to Port Hedland  
20          Detention Centre and we can get married." Because she was  
21          really scared if they try to deport me, which is they did  
22          to someone else. And this was - I was think for us,  
23          thinking about it, deportation was really hard. Because  
24          when they try to deport someone, they never call him or  
25          her to say "oh we wanna deport you, and you have to come  
26          with us". No. They call him, for example "your lawyer  
27          wants to talk with you." "nurse wants to see you" "you  
28          have appointment for X-Ray" "you have appointment for  
29          specialist" and after that you never see that person  
30          again, because they put him in isolation room, they coming  
31          to pack his stuff, and that's finish. Nobody knows

1 anything. That was make everybody to scared when they  
2 called them for nurse, or specialist, or X-Ray. And we say  
3 to each other "look, I'm going. They call me for nurse, I  
4 don't know it's true or no. If I didn't come for example  
5 20 minutes, ring to this number and that number and let  
6 them know." This was rule between detainees - to help each  
7 other. And we did lots of time when they try to deport  
8 people, we did something like that. And I remember in  
9 first two, three months when I get released, I was in  
10 Ballarat and they ring me from Baxter, and they say the  
11 name of our friend they wanna deport him. And I rang some  
12 people in Melbourne, and they stop this deportation, and  
13 now he's free. This was good. Detainees was look after  
14 each other for I can say every single thing - when they  
15 get sick, when they get tired, when they have some problem  
16 with their family in Iran or whatever, they try to help  
17 each other. And yeah, she came in November 2002. She ask  
18 immigration manager, immigration manager said "I don't  
19 know anything about it, because it's the first time  
20 someone wants to get married in detention centre. Let me  
21 to ask Canberra." We was sitting in visit area in Port  
22 Hedland in very hot weather, and she came and she said  
23 Canberra (indistinct) Canberra said it's fine. I think it  
24 was next day we get married in Port Hedland Detention  
25 Centre, without anything except the priest come to  
26 detention and two witnesses from Sydney - they was  
27 visitors of some people in detention, that's it. It was  
28 very quiet marriage party. And after that, few times they  
29 call me and they gave me paper and they said "you have 28  
30 days' time to decide to go back to your country, we gave  
31 you \$2000." And we always say to them "we gave you \$2000

1 more and don't talk about it." The problem - the fire  
2 problem actually start in - in some detention centre like  
3 Baxter. As soon as detainees in Port Hedland find out  
4 about it they making some fire in detention centre. Which  
5 is Immigration Department said cost \$10million. And it  
6 wasn't true. Even I'm not sure \$500,000 it cost. And they  
7 next day local police, Federal Police, and a special  
8 security guard came and control detention centre. Two  
9 days, three days going like that - they control  
10 everything.

11 MS WINKELMAN: How long after your marriage did this happen?

12 MR BAKHTIARVANDI: It was actually in 2003. I get married in  
13 2002. It was happen - the fire and this situation happen  
14 in 2003. And police, and Federal Police - local police,  
15 Federal Police - they control all detention centre. Two  
16 days, or three days after in morning - very earlier  
17 morning, when everybody was sleeping - they coming without  
18 any warning, open the door, and when they come into my  
19 room, I was sleeping.

20 MS WINKELMAN: There was no one else in your room?

21 MR BAKHTIARVANDI: No. We had single room, because the number of  
22 detainees was very low in that time. And I had single  
23 room. I was sleeping on the floor - I had (indistinct) I  
24 couldn't sleeping on the bed because of my back. I was  
25 (indistinct) on the floor in my room and they come in and  
26 they said "don't move! Don't move! Don't move!" I was  
27 really scared - 'what's going on?'. "And put your hand on  
28 the wall like you are" - I think you saw before on TV  
29 sometimes police doing to some criminal people "and open  
30 your leg" search my body, and they said "okay, that's  
31 fine. Just go with this officer out of the block." I said

1 "that's fine". "And they have to search your room." I said  
2 "you can search my room every five minutes, because I  
3 haven't anything illegal." They sent me out with security  
4 guard, and they took me to isolation room for very short  
5 while, and after that they transfer me to police station  
6 in South Hedland again. The security guard was there from  
7 ACM, and I asked them "why we are here?" - I think there  
8 was 10 people there, 10 single detainees. They said "oh,  
9 we don't know". Federal Police coming, and we asked them  
10 "why we are here?". They said "Immigration gave your name  
11 to us as a people who making fire in detention centre." I  
12 said "I have one leg and one (indistinct), for doing  
13 something like that, you need healthy body to go through  
14 the fence to that place which was burnt by fire, and I  
15 cannot do this, because I have physical problem for long  
16 time - you can look at my medical file." They said "we  
17 don't know." Immigration come and they said "why we are  
18 here?"[sic]. She said "Federal Police find out the name  
19 from we don't know where, and they take you." Federal  
20 Police accuse Immigration, and Immigration accuse Federal  
21 Police. They coming and call us for warning for  
22 investigation, and they took me there and interpreter was  
23 there, and two young Federal Policeman. And they said "we  
24 going to have reinterview in next few days" - I don't  
25 remember, I think Wednesday - "and are you happy to talk  
26 with us?" I said "no, because I have no information to  
27 give you. I wasn't there." And one of them he said "could  
28 you tell us who was there?" I said "no, I cannot tell you.  
29 You know why? Because as soon as I tell you who was there,  
30 you wanna ask me 'why, what you doing in that time there.  
31 You was involved with that problem in detention centre.' I

1 wasn't there, I don't know who was there, and this is not  
2 my problem, and not my business." And my wife, in that  
3 time, she organise with some lawyer from legal aid to come  
4 to visit us. The young lawyer she came to visit us with  
5 her secretary inside the cell, and she said "don't talk  
6 with Federal Police. They have no proof against you, and  
7 they cannot do anything about it. And tonight, they call  
8 you for investigation, and then you going there - say 'I'm  
9 not gonna have any interview with Federal Police with tape  
10 recorder and video camera' and come back to your cell."  
11 And when she left they call us for interview, each person  
12 said "no, we're not gonna talk." And in the next day,  
13 after eight days, they take us back to detention centre.  
14 In that eight days, we wasn't allow to have a tea - no  
15 more tea, because they said "in prison, you are not  
16 allowed to have hot water". I receive the tea, and shampoo  
17 and soap from one of my supporter in Melbourne. And they  
18 gave it to me in that police station, and I said "look, we  
19 have tea, and we can hot water from shower." And we drink  
20 tea with hot shower - hot water from bathroom. And they  
21 didn't gave us hot water to making tea for ourself. Eight  
22 days. And it was very, very hot - more than 40 degrees.  
23 And, I'm not sure, I think for two days, first two days,  
24 we didn't eat anything, because we wasn't happy to be  
25 there without any reason. And yeah, finally they send us  
26 back. It was not only time, I just remember now - in 2000,  
27 in the night time, they call me and they said "Supervisor  
28 wants to talk to you." I said "that's fine." I went to see  
29 supervisor and he said "you have to go to isolation room  
30 in Juliet block." I said "why?". He said "some officer  
31 said you thinking about escape from detention centre in



2000." I said "I didn't thinking like that, but could you tell me how they knows we was thinking about it? If you said 'oh, someone said you was talking about it', I can say 'yeah, I was talking about it and some security guard they heard whatever I said'. But if I didn't say anything about it, how come she or he they knows I was thinking about it?" They put us in isolation room for few days - actually one week, I think - and after one week they said "if you promise to not making any problem when you coming back to compound, we can release you. It was mistake." I was there one week for some mistake, with another few detainees, actually. Anyway, after that fire problem, some - I'm not sure I can say teenager, or younger, because I never see them and I never talk to them - they came to visit some Afghanis in Port Hedland Detention Centre from Perth with, I think, their teacher. Security guard said "you are not allowed to go visit Afghanis, because they might be raped you. And this is illegal for you to go to visit." They going back, they rang to some of the Afghani mobile phone, because we actually get mobile phone in detention centre. And she said to him "we came to visit" - they was actually waiting for them to come to visit - "and they said 'oh you are not allowed to go visit because of this reason'." Of course, they get angry, they went on the roof, and they said "we want to see Immigration Manager." And Immigration Manager didn't come, because they didn't know what they can say. They already make a problem inside detention centre for nothing, because lots of people came to visit, security guard in visit centre - very close to detainees and visitors - and nothing was happened. Nobody making problem for anybody. And that situation making big

1 fight between detainees and security guard until police  
2 came.

3 MS WINKELMAN: What was the fight like?

4 MR BAKHTIARVANDI: Fighting with - it was physical fight,  
5 actually. It was physical fight between detainees and -  
6 physical fight like they threw to the rock and concrete,  
7 like that, to each other. And security they come with a  
8 special clothes - shelf and black (indistinct).

9 MS WINKELMAN: Black -?

10 MR BAKHTIARVANDI: Black (indistinct). It means 'baton'.

11 MS WINKELMAN: Baton?

12 MR BAKHTIARVANDI: Yeah. The detainees call the baton 'black  
13 Panadol'.

14 MS WINKELMAN: And 'shelf' is what?

15 MR BAKHTIARVANDI: Thing...

16 MS WINKELMAN: Oh, a gua- a guard?

17 MR BAKHTIARVANDI: Yep, yep.

18 MS WINKELMAN: A shield?

19 MR BAKHTIARVANDI: Shield. Yeah, sorry. And they couldn't stay,  
20 because detainees was very angry. And they came back - I  
21 had some photo from that time I take by my secret camera -  
22 and until police came. When police came I was on the  
23 public phone. I was giving report to someone in Melbourne  
24 by telephone about every second of that situation in that  
25 time. And I said to that person "I'm sorry, I have to go,  
26 because police come, and when they coming, they doesn't  
27 care who was involved in the situation or no. They try to  
28 bash everyone." They bash people, even teenager, the lady  
29 - Iranian lady. And I didn't see, but some ladies in  
30 detention centre said her leg is black because of police  
31 baton. But I take the photo from some - my friend, they

1           bashed by police from back and leg. They bashed one of my  
2           friend, and they took him to isolation block. From  
3           isolation block they deport him to Iran, after that time.  
4           Thirty-something people was arrested by police, and they  
5           was in Juliet block for nearly one month.

6   MS WINKELMAN:   Not you?

7   MR BAKHTIARVANDI: No. I was very lucky. And yeah, in the same -  
8           second day after that time, I think. Third or second day  
9           after that, they coming and they said "we wanna search the  
10          room", because some peop- some officers, some of the  
11          really racist officers, they get report they have some  
12          weapon, like knife, or something like that, and they have  
13          plier and razor cutter. And they came to my room. I  
14          actually broken the camera, take the film out, put it  
15          under the ground in few plastic bag. And I put my mobile  
16          phone under the biscuit in the box. I put it on the table  
17          in my room. They came and they said "we wanna search your  
18          room". I said "I'm happy. And if you need me to help you,  
19          I can help you. Would you like some coffee and tea?" They  
20          said "no, thank you." I said "I'm not sure you can find  
21          anything illegal. Would you like some biscuit?" The mobile  
22          phone was turn off under the biscuit, and they said "no,  
23          thank you. We are not eating or drinking anything." They  
24          search and they didn't find anything. They search and they  
25          didn't find anything. They left. Few days after, I say to  
26          one of the officers - she was very lovely person - I say  
27          "look, I have this film. I want you to send it to my  
28          lawyer in Melbourne. If you like, I can tell you what's  
29          inside this film. This is a photo of security guard -  
30          people was bashed by police and security guard, in that  
31          problem. Honestly. And I need you to send it by post." She

1 said "that's okay." She send it to my wife, and my wife  
2 was print it. And yeah, some photo came out with  
3 (indistinct) magazines. More than a year ago, I had  
4 interview with two journalist from that magazines. And  
5 straight away something from my- my (indistinct), and this  
6 was printed in that time. Almost then they was  
7 investigating people who was bashed with local police and  
8 detainees. And they didn't do anything about it, because  
9 they have no power against Immigration Department. And  
10 some of them still they have big problem with their neck,  
11 their back, their leg. And they always using some strong  
12 pain killer, because they have pain, since that time. And  
13 they have everything to prove about their problem, but  
14 nobody can help them - even lawyers. That problem was  
15 finish and after that, I don't know how long after that,  
16 they ask me if I like - this the first time and unusual in  
17 detention centre, from Immigration - "if you like, you can  
18 go to Baxter Detention Centre, and it's might be can help  
19 you to get out soon." I said to that man, Immigration  
20 officer, "I don't care about whatever you said, but I'm  
21 happy to go, because I heard there is hard situation, this  
22 actually was in Port Hedland and Maribyrnong - I was there  
23 - I like to see with my eyes. And I'm very happy to go  
24 there."

25 MS WINKELMAN: Let me just interrupt for a moment. You had a  
26 lawyer in Melbourne before you were taken to Port Hedland?

27 MR BAKHTIARVANDI: Yep.

28 MS WINKELMAN: Did your lawyer know you had gone to Port  
29 Hedland? Was he able to help you out?

30 MR BAKHTIARVANDI: No. I told you already, my fiancée in that  
31 time, she came to visit me, straight away they said "we

1           don't know where he going, but he's not here." They didn't  
2           say anything to anybody, since I rang my fiancée and I  
3           said "look, I'm in Port Hedland Detention Centre and I'm  
4           fine. And you can ring people to not be worried about me."  
5 MS WINKELMAN:    Right. So the lawyer you had then, did know you  
6           had been taken to Port Hedland?  
7 MR BAKHTIARVANDI: No, nobody knows. They didn't let me to rang  
8           him as well.  
9 MS WINKELMAN:    I know, but once you arrived in Port Hedland,  
10           and you did contact your wife - she came up to marry you -  
11           by then, you lawyer from Melbourne would have known?  
12 MR BAKHTIARVANDI: No no no. Straight away in the same day I get  
13           in Port Hedland, in the night time, I rang my fiancée, and  
14           I said "look, I'm in Port Hedland. You can ring my lawyer  
15           and people to not be worried for me."  
16 MS WINKELMAN:    But they couldn't do anything for you?  
17 MR BAKHTIARVANDI: No, because they already transfer me back to  
18           Port Hedland.  
19 MS WINKELMAN:    (indistinct)  
20 MR BAKHTIARVANDI: And I said to Immigration "look, I was there  
21           for more than a year. There is no reason for you to send  
22           me back there. She said "I don't know, I received a fax"  
23           which is, I didn't see.  
24 MS WINKELMAN:    Okay.  
25 MR BAKHTIARVANDI: True or no, I don't know.  
26 MS WINKELMAN:    So, now you come to the end of your time, your  
27           second time in Port Hedland, and you're about to be  
28           transferred to Baxter?  
29 MR BAKHTIARVANDI: Yeah. And actually I heard - before I decided  
30           to go, I heard from some people in Melbourne they wanna  
31           close Port Hedland Detention Centre in two months, and I

1 was thinking 'it's might be good if I go by myself before  
2 they close Port Hedland Detention Centre', and it was  
3 true. As soon as I get there, months after, they closed  
4 Port Hedland Detention Centre. And actually less than a  
5 year before they close it, the spend \$16million to change  
6 the construction of Juliet block. And I remember Carmen-  
7 Carmen Lawrence, she came to visit it us, from Labor  
8 Party, from Perth. And we told her, and she was shock when  
9 she went inside the block and see everything and she ask  
10 Immigration Manager "how you spend \$16million to change  
11 the construction of this block? What for? You're not gonna  
12 keep some people here like Al 'Qaeda or Taliban. They are  
13 innocent people. They are refugee. Even this detention  
14 centre security is too much for them. You have spent  
15 \$16million of that only block to keep some people who is  
16 not really happy in this detention centre." She didn't say  
17 anything, and yeah, it was happened and they spend that  
18 money, actually, nobody can do anything about it. I went  
19 to Baxter Detention Centre by myself. Before I went, the  
20 only important thing I had - it was my mobile phone - I  
21 put my mobile phone inside my tape recorder. I open tape  
22 recorder, I put mobile phone and charger, I put it back  
23 again. I went there very relax. And they said "oh, which  
24 compound you wanna go?" I said "Compound W1", because I  
25 knew some of my friend from 2000 was there. And they said  
26 "It's fine. You can go to Compound W1". This was night  
27 time. They said "tomorrow, we will give you everything new  
28 like mattress, bedsheet, everything." I said "that's  
29 fine". Baxter Detention Centre was exactly different way  
30 another detention centre I saw before. It was really clean  
31 detention centre, with very high security. The problem in

1           Baxter Detention Centre, you couldn't see anything beyond  
2           yourself, except the sky in the day and the star in the  
3           night, because every compound, it's like a soccer field,  
4           but the put some caravans around the soccer field, and you  
5           cannot see anything outside. They cannot say you are  
6           surrounded by caravans. And each room for each person;  
7           actually, it's a single room. In the- I don't know which  
8           fences had very high voltage electricity, I think 400 volt  
9           or something. And one day they call me from immigration,  
10          and they said your case officer wants to see you. I went  
11          there and he said "Ali, do you know we have a high voltage  
12          electricity on the fence?" I said "yeah, I already know  
13          before I came to Baxter". And he said "do you know it can  
14          kill people?" I said "I was working with electricity, and  
15          I think I know better than you." He said "no, I mean if  
16          you wanna escape, this might be kill you." I said "look,  
17          you're talking to some person who not really thinking  
18          about escape. If you let me to go out of Baxter Detention  
19          Centre for any reason by myself, and then I come back and  
20          you never open then gate, I'm coming from above the gate  
21          inside. It means I'm not gonna stay out. It means I'm not  
22          thinking about escape. I had escape one time in my life,  
23          that's finish. And if you haven't anything else to talk  
24          about it, I wanna go." And he said "no, thank you. That's  
25          finish." I said "goodbye". And for any reason you have to  
26          go outside the compound, you have to go through the few  
27          different electronic gate. Sometimes if they wanna make  
28          you angry to see your action they make you to stay longer  
29          behind the gate, and you can knows, because when you push  
30          the button they knows someone behind the gate, and they  
31          can zoom the camera on the person who behind the gate, but

1 they didn't move the camera to have a look behind the gate  
2 to make the person, or people, who was behind the gate,  
3 angry. Because they already know people in detention  
4 centre they are really tired, and with every small thing,  
5 they might be making problem, and this is good for them.  
6 This is for Immigration Department and the security guard,  
7 not for the detainees. And for visit you have to go one,  
8 two, three, four, five different electronic gate in  
9 Baxter. And when you coming back to your compound again,  
10 that five- you have to go through there, that five  
11 electronic gate. And with that feeling we had, in that  
12 time, it's really hard to stay behind the electronic gate.  
13 It's really hard when they search you before you going to  
14 visit, and after you coming back from visit, because they  
15 already search visitors, and whatever they bring inside -  
16 like food or everything which is not illegal, you know -  
17 and they know the visitors doesn't have anything illegal.  
18 And detainees also, their room always search by security  
19 guard. Anytime - whatever they need or they like. And  
20 visiting compound to compound it was starting by 8:30. And  
21 just 15 people they was allowed to go to different  
22 compound. Fifteen people means first 15 people who have  
23 the request for visiting for next day. It means if you are  
24 number 16, you are not allowed to go out to see your  
25 friend. And- which is another (indistinct) except one  
26 time, few months I was in Baxter Detention Centre and I  
27 did it, just one time, because in the night time, always I  
28 was talking to my wife with my mobile phone, and also  
29 public phone in detention, and some another friend who was  
30 support me for a long time. Finally they said "Federal  
31 Police come to visit you. And they wanna talk to you." I



1           said "that's okay", because it wasn't first time, it was  
2           happen few times, and I already know what they need. They  
3           was investigating about my smuggler- my people smuggler,  
4           the smuggler.

5   MS WINKELMAN:   Smug- oh, the people smuggler?

6   MR BAKHTIARVANDI: Yep.

7   MS WINKELMAN:   Yes.

8   MR BAKHTIARVANDI: In Indonesia. And I said "that's okay". I  
9           went and I see them and they said "we need you to come to  
10          Court in Darwin and as soon as we got time from the Court,  
11          we let Immigration know to let you to come." I said  
12          "that's fine." In August 2004, I went to Darwin with one  
13          of the detainees, and five, six security guard. And the  
14          first- no, not first day, the second day, I think -one of  
15          the security guard mobile phone was ringing and when he  
16          gave answer he said "someone wants to talk to you." I said  
17          "talk to me?", he said "Yeah". When I answered the  
18          telephone, it was my wife, she said "did you heard any  
19          news?" I said "no, I'm in Darwin at the moment, and you  
20          know already, and I'm waiting for Federal Police to take  
21          me to Court." Few times she said "oh, you didn't heard  
22          anything?" I said "no, I told you already. I'm in hotel.  
23          We sitting next to pool in hotel. And..."

24   MS WINKELMAN:   Next to?

25   MR BAKHTIARVANDI: Pool.

26   MS WINKELMAN:   Oh.

27   MR BAKHTIARVANDI: Yep. And "yeah, yeah, yeah, yeah. It's good,  
28          and I'm fine." And she said "you got your visa." I wasn't  
29          really happy, because a few reason. One of them was it was  
30          hard for me to say to the person, to the detainees who  
31          came to go to Court as a witness to say 'oh, I've got my

1 visa, and we might be not seeing each other for long time.  
2 And another thing I was thinking the price I spend for  
3 this visa was too much. Four and half years my life, which  
4 nobody can gave me back one second. It wasn't small price  
5 for this visa. The only reason make me happy because I was  
6 thinking 'okay, I might be not have too much stress, and  
7 also my wife and lots of my friend who tried to help me  
8 for long time.' That's it. I went to see my friend in his  
9 room, because we have two bedroom in hotel, and I told him  
10 "I've got news, and I'm not really happy." I was very  
11 honest. "And I've got my visa." I actually tell the  
12 security guard, the said "it might be true, might be no,  
13 but we have to waiting for Immigration Department." I said  
14 "that's okay, I'm not care about it." And we went to  
15 restaurant in lunchtime to have lunch. One of the  
16 immigration officer from Baxter he rang to security guard  
17 mobile phone and he said to them "he's got his visa, and  
18 he's free from now. You have nothing to do with him. And  
19 he can go anywhere."

20 MS WINKELMAN: You- who rang the guard?

21 MR BAKHTIARVANDI: One of the Immigration officer from Baxter.  
22 His name was 'Nigel', I think.

23 MS WINKELMAN: He rang the security guard to say you're free,  
24 yeah?

25 MR BAKHTIARVANDI: Yeah. And he was talking to me as well, and  
26 he said "congratulation, you- you've got your visa. It's a  
27 spouse visa" - I didn't know anything about it, because I  
28 never heard anything about it before - "and you are free.  
29 The security guard, they have nothing to do with you. From  
30 now, you can go anywhere without any security guard."  
31 Finish conversation and they said "we're not gonna let you

1 go, because we have to making BBQ party tonight - BBQ  
2 party tonight in hotel."

3 MS WINKELMAN: The security guard?

4 MR BAKHTIARVANDI: Security guard. "And we have to drink some  
5 beer and have good time." I said "that's fine, but I'm not  
6 really happy about it, because I feel sad for my friend  
7 here. If I was alone with you, it's fine, but it's not  
8 easy for me to be happy when I see my friend here and he's  
9 coming back with you to Baxter Detention Centre." One of  
10 the ladies from Federal Police, she came in the afternoon  
11 time and she said "I'm coming to take you to different  
12 hotel, because you've got your visa and you have nothing  
13 to do with security guard. And your responsibility is with  
14 us at the moment." I said "no, they wants me to stay here  
15 tonight with them, and I'm actually free, but if you can  
16 come tomorrow morning, I'm happy to come with you tomorrow  
17 morning and change my hotel." She said "alright." She went  
18 and we had some party in that night, and next day lady  
19 from Federal Police she came and took me to another hotel  
20 in Darwin until the Court was finish. And my wife came  
21 there. We stay another two, three days more, as a- maybe I  
22 can say 'honeymoon'- and straight away we came to  
23 Melbourne and Ballarat.

24 MS WINKELMAN: So, who helped you get released from detention?  
25 Who helped you get the visa?

26 MR BAKHTIARVANDI: It's not really easy to say who, because I  
27 think lots of people was involved with my visa. It wasn't  
28 only my lawyer, only my wife, or only one friend. Lots of  
29 people they working really hard. Julian Burnside, and  
30 another few lawyers. Lots of my supporter in Melbourne.  
31 Even people in Tasmania, Queensland, Port Hedland,

1           Adelaide, Melbourne. They all supporting me and they did  
2           very, very good job. And that's why it's not easy for me  
3           to say who. Everyone was involved with my situation and  
4           working hard. My wife family, like her dad, her step-mum,  
5           her uncle, and lots of another people. My friends in  
6           Melbourne - if I- if I wanna say the name, it might be  
7           cause me five others who - maybe more than five others to  
8           say one-by-one, but I just very happy to have lots of nice  
9           friends in Australia.

10   MS WINKELMAN:   And the spouse visa - what were the conditions  
11                   for that?

12   MR BAKHTIARVANDI: They gave me this visa because I get married  
13                   with Australian girl and nearly a year after I release I  
14                   received a bill from Immigration Department \$227,000.

15   MS WINKELMAN:   For?

16   MR BAKHTIARVANDI: For the time in five-star luxury hotel in  
17                   Port Hedland, Maribyrnong, and Baxter.

18   MS WINKELMAN:   For time spent in a five-star luxury hotel?

19   MR BAKHTIARVANDI: Yeah. Like Port Hedland, Maribyrnong in  
20                   Melbourne, and Baxter Detention Centre.

21   MS WINKELMAN:   So they're calling their detention centres a  
22                   five-star hotel?

23   MR BAKHTIARVANDI: Yeah.

24   MS WINKELMAN:   Right.

25   MR BAKHTIARVANDI: Yeah.

26   MS WINKELMAN:   And when did you receive that bill?

27   MR BAKHTIARVANDI: Sorry?

28   MS WINKELMAN:   When did you receive that bill?

29   MR BAKHTIARVANDI: Ah, a year- nearly a year after I release  
30                   from detention centre.

31   MS WINKELMAN:   Right. So about 2005? Middle of 2005?

1 MR BAKHTIARVANDI: Yeah.

2 MS WINKELMAN: Right. Okay. So maybe that's part of talking  
3 about what happened after detention, now. I guess the bill  
4 was part of that.

5 MR BAKHTIARVANDI: The send this bill to me, and they said the  
6 reason, which is I cannot believe - and actually not true,  
7 because I can tell you, some people they got their  
8 permanent visa from RRT and without getting married with  
9 anybody and they are still, even now I'm talking to you,  
10 single, they've got the bill.

11 MS WINKELMAN: A similar bill?

12 MR BAKHTIARVANDI: Yep. They got detention date, but they number  
13 is different. Some of them is \$30,000, some of them is  
14 \$60,000. I remember Algerian man, he was signed to go back  
15 to Algeria from Maribyrnong Detention Centre. They gave  
16 him \$200-something thousand dollars and they said "if you  
17 wanna come back to Australia again, you have to pay this  
18 money." That was first time I saw the bill. "and after  
19 that, you can come through. Otherwise you cannot come to  
20 Australia anymore."

21 MS WINKELMAN: This is the Immigration Department?

22 MR BAKHTIARVANDI: Yeah, yeah. And when I look at the situation  
23 of people who got this bill, I can tell you exactly why  
24 I've got this bill. The first person, as I know first  
25 person, maybe he's number 10 or 100, I don't know - but  
26 the first person I know - and I'm still friend with him,  
27 and we have contact every day - he got this bill, and he's  
28 got his permanent visa from RRT few years ago, and he came  
29 out of detention centre with permanent visa, not  
30 protection or spouse visa, because he's one of the people  
31 who smashed the fence in Port Hedland in 2000 for first

1 time going to sitting on the street in Port Hedland, and  
2 they was arrested by police, and they spend time in Perth  
3 jail, between three to six months. And he wasn't quiet  
4 person. Quiet as Immigration view, not my view.

5 MS WINKELMAN: He was not...

6 MR BAKHTIARVANDI: He wasn't quiet person.

7 MS WINKELMAN: Was not, was not quiet?

8 MR BAKHTIARVANDI: No, no. The second one, he was an African

9 journalist. His situation same as first one, but he did  
10 different thing. He was journalist and he was always had  
11 interview with radio and newspaper in Australia, since he  
12 was in detention centre, which is making Immigration  
13 really angry. He has got that bill as well. I've got this  
14 bill because they had lots of problem with me. They  
15 transfer me from Port Hedland to Maribyrnong. They  
16 transfer me from Maribyrnong to Port Hedland. They  
17 transfer me from Port Hedland to Baxter. Because I  
18 couldn't stay quiet. You cannot find anybody between  
19 detainees, immigration officer, and security guard, who  
20 can tell you I was smash anything in detention centre. I  
21 never did it, because I didn't like to do it. But I was  
22 fighting in different way. In legal way. Legal way in my  
23 view. Legal way for me, it was every (indistinct) people  
24 outside the detention centre, like my supporter in  
25 Melbourne, talk to people, they start to handle stuff -  
26 stop eating - and find lawyer for people in detention  
27 centre. It stop them to sign the paper to going back to  
28 their own country, which is making Department- Immigration  
29 Department- very, very angry, you know? And it was make me  
30 to thinking 'yeah, between the people that got this bill'-  
31 actually, some people who get married, they've got this

1 bill as well. One of them, they was complaining against  
2 the bill, and they cancel it. And by the thing I heard,  
3 they went to Immigration Department in Melbourne, and they  
4 said "we're not gonna pay this money" and they said "you  
5 have to pay it" and they said "that's okay. We're going to  
6 talk about it in media." One week after that, they cancel  
7 their detention debt, because I think the person was very  
8 quiet- I really don't know him, because he was from  
9 different detention centre, but they never do this to  
10 people who was quiet, who was nice to them. And it's not  
11 easy for them to doing something like that to me - to  
12 cancel my detention debt, or to let me come out two years  
13 before 2000- err, 2004. And yeah, this detention debt,  
14 it's even not easy to talk about it as a conversation.  
15 It's really stressful, and it's caused me 151 years to  
16 give this money back, to cover it. It means I have to be  
17 involved with this situation, this stressful situation,  
18 for rest of my life. It means since I'm busy with this  
19 detention debt, I have to thinking about all my bad memory  
20 from four and maybe half years in detention centre. It  
21 means I cannot be free. It means I cannot enjoy my life.  
22 It means I cannot be happy. It means I have to working for  
23 Australian Government - to pay tax, detention debt,  
24 electricity, and rent. It means I never have anything.

25 MS WINKELMAN: Okay - please continue.

26 MR BAKHTIARVANDI: Yeah. And some people ask me "what you  
27 thinking of your freedom now, and are you enjoying your  
28 life at the moment?" It's hard to say "alright, this is a  
29 freedom", because long term detention centre with hard  
30 security make me to thinking, and- 'everywhere is  
31 detention centre'. As soon as I seen that fence around the

1 factory, or everywhere, security camera - my feeling  
2 change, because I remember security camera in detention  
3 centre. I remember the fence, I remember the razor wire. I  
4 might be happier at the moment with the factory I'm  
5 working because we no any security camera there. Because  
6 in any shopping centre, around any factory, now going to  
7 Melbourne or even Ballarat, and I see the security camera  
8 - exactly the same as security camera in detention centre  
9 - and it's make it hard for me to say "alright, I'm free  
10 and I don't have to thinking about it anymore." It's  
11 become something like some part of my body. It's coming  
12 with me everywhere. Like my hand, my arm, my heart, my  
13 head. It's always with me, and I'm not sure one day I can  
14 put it away. I was talking to some psychologist and  
15 psychiatrist, and they was agree and they said "this is  
16 hard for people to forget something like that". And I had  
17 lots of bad memory in my life, like wartime, but since I  
18 came to Australia, most of the time I'm busy with thinking  
19 about the time I was in detention centre. And the time I'm  
20 thinking about my background in my country it is very  
21 short. And now always I'm thinking about detention centre,  
22 and all the memory I had. All the stress we had. It is not  
23 my only situation. It's actually more than 90 person of  
24 people who was in detention centre for long time. And I  
25 can tell you now, maybe I'm really strong person, because  
26 I'm not involved with any special medication, but people-  
27 I mean detainees- at the moment they are involved with  
28 lots of different medication, and they couldn't stop it.  
29 They are addicted to different medication, which is  
30 chemical and really dangerous for them. And they might be  
31 making something changing their feeling, or their head,



1 but they damage their physical body.

2 MS WINKELMAN: Would you be willing to go back to when you  
3 were- when you received your visa, and you left with your  
4 wife to come to Melbourne. What happened next?

5 MR BAKHTIARVANDI: We came to Ballarat, because she was living  
6 in Ballarat. And her aunty find this job at the moment I  
7 have.

8 MS WINKELMAN: Could you say what the job is?

9 MR BAKHTIARVANDI: This is a chemical factory. We making  
10 herbicide for farmers, and we just working with chemical  
11 stuff.

12 MS WINKELMAN: And what do you do there?

13 MR BAKHTIARVANDI: We actually making different product. I  
14 working there at the moment more than I think two years.  
15 They are very happy with me, I'm very happy with them, and  
16 I'm happy to working there, even though it might be  
17 dangerous, because this is chemical. There is no way for  
18 me to choose anything else, because if I lost this job, I  
19 don't what I can do with my detention debt, because every  
20 single month I have to pay them. And I knew already if I  
21 stop to pay it, they can take me to court, and Court can  
22 say I have to pay all together, which is I'm paying at the  
23 moment monthly, and I cannot do it, and they might be  
24 putting this man in jail. And yeah, I have to working in  
25 this factory even still little bit dangerous, but there is  
26 no choice.

27 MS WINKELMAN: How soon after you left, after you got your  
28 visa, did you get that job?

29 MR BAKHTIARVANDI: I think maybe two months.

30 MS WINKELMAN: Yes. And then what happened?

31 MR BAKHTIARVANDI: We was living together - 'we' means me and my

1 wife - we was living together for I think seven, eight  
2 months. And finally for some reason, from her, she decided  
3 to be separate. We was separate for more than two years,  
4 and after that time, she decided to get divorce. She's  
5 very lovely person, and she was working very, very hard  
6 and for some reason, I can't tell you, she had more stress  
7 as I had in detention centre to get me out. She did very  
8 hard job - she came to visit me Port Hedland few times.  
9 For some people from Victoria it's hard to be in  
10 Melbourne- in Port Hedland, sorry- because Port Hedland  
11 weather is very hot and humid. For me wasn't- was not big  
12 problem, because I was living in my country in hot weather  
13 city. But it hard for her to have good accommodation  
14 there, and security guard not treat visitors very well.  
15 Anyway, with lots of problem she came there. One time I  
16 remember she came to visit me and - before, actually,  
17 going to Baxter - and we was sitting on the visit area,  
18 Supervisor came and he said "Ali, do you know today you're  
19 going to pool- swimming pool." I said "no, I didn't know,  
20 but I'm not going, because I have visitors." Which is I  
21 never go before - they just wants to show my visitors 'we  
22 look after them and we are very nice to them, we take them  
23 to fishing, swimming pool, and shopping.' And I said "no,  
24 I'm not going, because my wife" she said tell them I'm  
25 going, and I come there and see you there. I said "I'm  
26 going." As soon as I said "I'm going", he said "do you  
27 know if you're going there, you are not allowed if your  
28 wife coming, you're not allowed to talk to your wife." I  
29 was shocked. There is no rule to stop people to talk to  
30 each other in public area. Who make this rule in  
31 Australia, or Immigration, or ACM? I get really angry. I

1 just try to control myself to not do anything in front of  
2 my wife, because she already had enough problem with  
3 security guard, and we're there and everything. One of the  
4 security guard was sitting there as a area security  
5 control. He came and he said "what's wrong, Ali?" I said  
6 "he say to me if you wanna go to swimming pool, if your  
7 wife coming there, you are not allowed to talk to each  
8 other there." He said "that's rubbish. We have no any  
9 rule, and there is public area." And I was just always  
10 look at my time to be finish to go in and saying something  
11 to him, because I was really angry. Finally the visit time  
12 finish, I went inside and I saw him and I said "look, I'm  
13 going to swimming pool today, alright? My wife coming  
14 there, I'm really happy if you or any security guard is  
15 man, stop me to not talk to my wife. I'm really happy."  
16 His face was change colour, and when I left, detainees  
17 said to him "look, don't make any problem for him, because  
18 he has suffered her from (indistinct) to big lawyer and  
19 barrister in Melbourne, and he can do something against  
20 you." Anyway, it was last day of my wife visit, and she  
21 has to go back to- next day, she wants to go back to  
22 Melbourne. And I went there, they had actually good time.  
23 When I come back, I went to see Immigration, and I said  
24 "I'm wondering if you can show me a proof about this rule  
25 in Australia, or immigration, or ACM company?" He said  
26 "I'm sorry, I don't know what you're talking about." I  
27 said "you should knows, because I heard something from the  
28 supervisor of company who's working for Immigration  
29 Department. That person said to me 'if you going to  
30 swimming pool, you're not allowed to talk to your wife in  
31 swimming pool'. What's different between swimming pool and

1 visit centre in Detention Centre? She is my wife, and you  
2 know. And he know too. Why I'm not allowed to talk to her?  
3 I wants to know why it's illegal." He said "don't worry  
4 about it. Did you went?" I said "yeah, I went and I talked  
5 to her, and we had good time, but I was thinking to let  
6 you know I try to control myself to not do anything to  
7 him, but you know detainees they get very angry, and they  
8 try to bash officer, or bash everything in detention  
9 centre. Before something like that happen, you have to  
10 stop it. And this is not only thing. You doing something  
11 illegal, like me bring some drugs in Detention Centre, and  
12 also alcohol, and this is illegal. Not if I went out and  
13 talk with my wife. And this is not first time I'm going  
14 out with my wife. I went with her to shopping centre in  
15 South Hedland. I went with her to restaurant after I get  
16 married. And I don't know why that time was legal and now  
17 is illegal." They change him from supervisor to normal  
18 officer. And yeah, it's a- I don't know how to forget all  
19 this memory.

20 MS WINKELMAN: Since you've been released from detention and  
21 had work, and have been married again, how else do you  
22 occupy your time?

23 MR BAKHTIARVANDI: I'm visiting my friend in Ballarat and  
24 Melbourne. They sometimes coming to visit me from  
25 Melbourne, and most of the time from Ballarat. I'm  
26 involved with the Refugee Support Group in Ballarat. They  
27 have really lovely people, and they care about refugee and  
28 people in detention centre, and people who is out with  
29 bridging visa, bridging- different kind of bridging visa,  
30 like bridging visa 'E', I think. They are not allowed to  
31 go out, they have no Medicare, they have no permission to

1 work, and actually I can say detention centre is better  
2 for them if they are stay in, because detention centre  
3 they don't need to pay rent, they don't need to pay  
4 anything for medical or they don't have to working. And  
5 outside like that with this kind of visa they have lots of  
6 problem. Anyway, I visit them and I play music, I practice  
7 music, I had concert last August in Ballarat.

8 MS WINKELMAN: What music do you play?

9 MR BAKHTIARVANDI: I'm playing the traditional Iranian music. I  
10 play with two different traditional drum- Iranian drum.  
11 Actually we had concert last August with 12 of my friend,  
12 they came from Sydney, in Ballarat. And it was good. Since  
13 that time, people always ask me "when you have another  
14 concert? When you have another concert?" And we going to  
15 making another concert, this time in Melbourne.

16 MS WINKELMAN: Where was the Ballarat concert held?

17 MR BAKHTIARVANDI: It was last August in (indistinct) School,  
18 something like that, in Ballarat. I don't the name of  
19 place.

20 MS WINKELMAN: And the one in Melbourne?

21 MR BAKHTIARVANDI: In Melbourne, they going to organise with  
22 some hall in Brunswick, and still we don't know which day.  
23 And also involve, I'm involve with for next Ballarat Organ  
24 Festival in January, next year. At the moment we thinking  
25 to make a music for this concert, and another festival.

26 MS WINKELMAN: How do you view Australia now?

27 MR BAKHTIARVANDI: Sorry?

28 MS WINKELMAN: Just, I'm thinking about the future, your  
29 future, and what you hope for your future, and how you're  
30 viewing Australia now, and I know it's two different  
31 questions.

1 MR BAKHTIARVANDI: It's hard to talk about future. Especially in  
2 that time, because I can see lots of problem in the world.  
3 And I'm not thinking of my personal future, I'm thinking  
4 of nice future for everyone. But by the way some going,  
5 and like Australian Government, and American Government,  
6 British Government, they doing- they making big problem in  
7 the world. And this is- I can not see nice future, because  
8 as an Iranian person, I always thinking about next war  
9 between America and Iran - which is Australia might be  
10 involve. And this is really serious situation, because  
11 it's not easy to say 'okay. They attacked Afghanistan.  
12 Taliban and Al 'Qaeda come - even they have still problem  
13 with them. They attacked Iraq. They kill someone, a Saddam  
14 Hussein - it might be not true. And they kill lots of  
15 people - as a Iraqi people. Now they can attack Iran as  
16 well. For attacking Iran, they have to be very strong,  
17 because Iranian Government they are not stupid like Saddam  
18 Hussein. I remember before anything happen from America  
19 and Iraq, Saddam Hussein and some his Minister said "If  
20 anything happen from America, we doing this, we doing  
21 that." And they didn't do anything, because their hand was  
22 empty. And American Government was sure 100 percent they  
23 can not do anything - this is Iraqi Government. That's why  
24 they attacked. But Iranian Government, no. They said "If  
25 anything happen from America and Israel, we're not gonna  
26 sitting and watching that. We gave them in few second -  
27 few second, not minutes - answer." And their hand is full  
28 of special weapon. And they show it in the world. They  
29 showed in SBS news, and some different news channel, like  
30 BBC, CNN, or might another few one. If anything happen  
31 like that, it's not gonna let anybody to see nice future

1 in the world. Our future, I think, it's involved with  
2 future of everywhere in the world.

3 MS WINKELMAN: And do you have any regrets?

4 MR BAKHTIARVANDI: Sorry?

5 MS WINKELMAN: Do you have any regrets?

6 MR BAKHTIARVANDI: What-?

7 MS WINKELMAN: Regrets, to, kind of, feel sorry about? Have  
8 second thoughts about- wish, maybe, you hadn't done?

9 MR BAKHTIARVANDI: It's really hard, you know? I wish something  
10 already happen, it never happened. I wished Australian  
11 Government never keep anybody in detention centre for long  
12 time, and release them with lots of problem, you know? But  
13 they all already happen. Now we have to start to stop our  
14 government stop people from not doing anything like that.  
15 I'm wondering 'why we have to making bad memory for next  
16 generation?' Long time ago, Hitler he was killed Jewish  
17 people, now they talking about it - nobody can do anything  
18 about it, and it just can make people sad, because lots of  
19 human was killed in that situation. We might be ask  
20 ourself 'what people was doing in the time? And they  
21 didn't stop Hitler and his Government to not killing these  
22 people.' In future, next few generation, they ask  
23 themselves 'what people was doing in that time in  
24 Australia when Australian Government help American to be  
25 involve with war in Afghanistan and Iraqi, keep people in  
26 detention centre without any reason, and Australian people  
27 didn't do anything about it?' And it make them just sad,  
28 because in that time makes 50 years, or 25 years, or 30  
29 years - they cannot do anything about. We shouldn't make  
30 sad story.

31 MS WINKELMAN: So, when you think back about your life, is

1           there anything you would do differently?

2   MR BAKHTIARVANDI: No.

3   MS WINKELMAN:   And could you say how you view Australia now?

4   MR BAKHTIARVANDI: I'm really sad, because it's not fair- it's  
5           really not fair for nice Australian people to have a  
6           horrible government like that. They are beautiful people,  
7           they are very friendly people, they are very kind people.  
8           And they need someone to look after them better than now.\

9   MS WINKELMAN:   It seems to me that we may be coming to the end  
10           of this interview. Is there anything else that you'd like  
11           to say before we stop?

12   MR BAKHTIARVANDI: There is lots of thing we can say, but I  
13           don't know when people can see this interview, but if they  
14           can see it before election, I just wants them to thinking  
15           about the next election to put vote for someone, and after  
16           that hate the government or hate themself. They have to  
17           careful. This is not joking, this is for reals. If they  
18           elected the government, they cannot do anything about it  
19           until four years, because Australian country is not like  
20           another country like Africa - people going to the street  
21           shooting each other and making the government change or  
22           something like that. No, you have to waiting for years. It  
23           means you have to be in a horrible situation, hard  
24           situation, hard life, for four years, and it's not fair to  
25           spend four years' time because we haven't good government.  
26           Try to choose the government who really care about  
27           Australian people. I never been in any Europe country, or  
28           any country else, just Indonesia after my country, because  
29           in Arabic country I just was in airport for maybe maximum  
30           one hour - but I'm sure it's hard to find people like  
31           Australian people in America, in Europe, or anywhere. They



1 are really lovely people. And thank you very much for your  
2 time, you're doing very good job - and also people who are  
3 working with you. And I have to say thank you to all the  
4 people who support me since especially 2001 when I came to  
5 Maribyrnong Detention Centre, and still they help me a  
6 lot, and they never get tired. And this is make me really  
7 happy to have lots of good friend like that. Thank you.  
8 This is one of my instrument. It's Persian- traditional  
9 Persian drum. They call it in Persian 'daf' D-A-F, and  
10 it's a very old instrument - I think more than 2000 years  
11 old - but not exactly this one, this is new, made by  
12 someone in Iran, but the design and first time it's made -  
13 more than 2000 years ago. And another one they call it  
14 'zarb'. This is also Iranian traditional drum. Z-A-R-B.  
15 Another name someone they call it 'tonbak'. Whatever you  
16 call it in these three name, it's right. And this is- this  
17 two instrument is actually some part of my life, and I  
18 really love them. They only important thing I have in this  
19 home, in this flat - my two drums. I never care about  
20 anything else, because I can find whatever I need in  
21 Australia, but it's hard to find these two instrument in  
22 Australia. And it's too expensive for me to order from  
23 Iran to here, and also a problem with Quarantine - to pay  
24 money to Quarantine because of wood, and animal skin.  
25 **\*\*\* Recording finished 3 hours 27 min: 16.4 seconds\*\*\***