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## What Australia Day means to me

By John Victor Ramses

Australia Day - 26 January 2016

As an American growing up in the *US of A* Australia had commonly been portrayed as a laid-back, carefree and friendly nation sharing similar values that was also home to a batch of strange animals, endless sandy beaches and vast expanses of desert and bushland no doubt responsible for the many tales of a lost primordial world. When at age 40 fate – or perhaps destiny – had dictated that I would come to live in Australia after meeting and falling deeply in love with an Aussie local, I found that the promotional campaigns of Australia we Americans had been exposed to since the end of WWII were not wrong.

From the first morning I awoke to the song of magpies, laughter of kookaburras, the fragrance of wattle and sea breeze and the welcoming embrace of my new Aussie family on 3 September 1999, I loved this Australia. From the moment my daughter was born from the sacred womb of her Aussie mother that following year I had a responsibility to, and vested interest in, the wellbeing of my daughter's country – for her, for my generations from her, for the Australian community within which they will together interact and grow through the years and eras ahead, long after my time on earth has passed. By nature of being accepted by the Australian government as a permanent resident I had a commitment to endeavour to provide positive, constructive contributions focused toward that resolve.

Embracing the Aussie culture was not a task but a pleasure I sought to satisfy every day of my 11 years in the community as a parent and member of society. I first learned the Australian National Anthem by attending assemblies at our children's school. I learned about the diverse culture and history by reading or by watching documentaries and Australian-made films. With some effort I came to understand the colourful Aussie slang and with somewhat more effort I learned to drive in the wrong side of the car on the wrong side of the road. My passion for Australia was so overwhelming I could not but focus my endeavours in some way to promoting Australia and Australians, while encouraging family, friends and other fellow Americans to visit this land I had come to feel at one with.

Our love story – founded on an occurrence of a strange phenomena – was unusual, seemingly enchanted and was widely known of in the day. Our projects, which were designed to involve our children, were innovative; inspired from the dreams, goals and love we had as a family. We were featured in magazines, the Sunday Times, TV and more and our unique radio station and talk program gained us international renown and countless new friends.

Australia Day had always been special – a day when my Aussie wife and her family took advantage of the opportunity to display their Aussie spirit and proudly boast *This Is Australia!* If not engaged at a family BBQ at *Caversham Wildlife Park* the day found us on the beach at *Hillary's* or eating fish & chips at *Cicerello's* in Fremantle where afterward the kids would have their faces painted in Aussie colours while spying fairy floss and ice cream through twinkling, pleading eyes. Dutifully, I was never without my camera capturing it all to share with family back home.

Australia Day was also a day each year when my Aussie family would encourage me to become an Australian citizen, but which meant, according to US law, surrendering my US

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citizenship. The United States does not permit its citizens to hold dual citizenship, enforcing a mindset that *you're either with us or you're with those other people*. Despite my love for Australia I was not prepared to do that. Inwardly, I knew a day would come when my parents would be getting on in age and my children would have my grandchildren and that out of desire and necessity I would one day have to return home. My wife knew this too as we had often discussed it before making a commitment to marry. It is a dilemma that many marriages between international partners one day face. But enveloped in the love we shared that dilemma seemed a lifetime yet away. We had our share of struggles like any other family including challenges with finance, raising 3 kids – one of whom was autistic – and negotiating schedules between work, school and time together. But overall for me Australia seemed to be that mystic land *'somewhere over the rainbow where the dreams that you dare to dream really do come true'*.

As our time together as a family approached 11 years an undercurrent of tension, related to a growing feeling that it was time for me to return home to America began to pull us apart. I had always planned to return together as a family but we could not have foreseen the events of 911 or the global financial turmoil or the ensuing sky-rocketing cost of living which, in spite of designing our business to be mobile, always held that goal just beyond reach.

Then, as if our time together had been granted only a limited time, that surreal phenomena returned on queue to utterly destroy an immeasurable love it had once created. On the anniversary of the day we had first met all those years before we officially separated. It was especially difficult for my then 10-year-old daughter with whom I was closely bonded. Amidst her sobbing I promised her I would never leave her and still had plans to take her on holiday to America to meet her older brother and sister and see the country her father came from. But her mother had other plans, harbouring a mother's fear that once in America I would never return our daughter to Australia. Then the threats of Family Court action and invoking conventions on international parent's rights came into play. As if gradually waking from a dream in deep slumber the close love we had shared for each other for 11 years of marriage seemed to be between two other people, not us.

Then the unthinkable occurred. As I would later learn is a common tactic in Australia used in disputes where a child is involved, almost to the point of being cliché, and to a large degree accepted and condoned by the law, my now former wife reported me on allegations of sexual abuse against her eldest child (not my daughter). In a time of media and government generated hysteria over allegations of abuse, particularly in Western Australia, that report was all that was needed for the legal system to step in and ensure that I would never see my daughter again much less gain access rights or take her on holiday.

Barrowing a 'Wizard of Oz' analogy, what followed for me was not dissimilar to Dorothy being ripped by force from the Emerald City and locked in the witch's castle, but for me the Emerald City of 'Oz' had itself revealed it to be the witch's castle in disguise. But this was no dream.

On the unsubstantiated allegation alone I was effectively arrested off the street and locked in jail with no investigation or further ado. All I was, all I had worked for in my life, ceased to exist as surely as if I had never been. Unbelievable from an American perspective I was refused legal aid for a lawyer. My pleas to the US Consulate to advocate on my behalf for some semblance of rights and fair treatment were not forthcoming. I had been told by officers more times than I count that "You have no rights in Australia", "You watch too much American TV", and once being told "If you wanted rights you should have stayed in America". Indeed.

Ultimately, I was forced to stand trial utterly alone with no legal advice or even any legal knowledge to speak of. Naturally, in 'trial' I was helpless to defend myself, but not for want of evidence to prove fabrication and motive, but rather due to pure ineptness. The trial transcripts show I pleaded to the judge often during those arduous five days that "I don't know what to do", "I'm not a lawyer", "I have the evidence but don't know how to show it", "Do you know how hard this is?" and "I'm just learning through this...", which pleas, like the pleas for help to my consulate, were met with indifference. Eventually, I suffered an emotional breakdown when I was made to personally cross-examine my former wife who for 11 years had been the love of my life. Compounding it all I was terribly missing my daughter who was somewhere unknown to me. Under those barbaric conditions I was convicted and sentenced to 6 ½ years in an Australian prison, still in possession of the evidence I never had the chance to show. Shortly afterward I succumbed to near fatal heart attack. If you don't think you can die of a broken heart, think again!

For the next four-plus years I would be kept silenced behind the concrete walls and razor wire of what is to me a foreign prison in a now very foreign country. The Australia I had come to love from that first morning and the friends I thought I'd made were nowhere to be found. I wrote numerous letters to politicians, advocacy organisations, media and the US Ambassador in attempt to bring awareness to my situation. Once, out of desperation, I staged a lone political plea for help from the roof of the prison where I had painted a broad message to then PM Julia Gillard – all of which efforts returned only silence. My pleas to get help with lodging an appeal against what effectively amounted to an abysmal atrocity of the application of justice were all but ignored. My health deteriorated due to the heart attack and in no small way to missing my daughter.

As one year passed into another, then another, I learned that I had become a grandfather, that my beloved nephew had been shot and killed while trying to protect his father from an armed assault on their shop, that my sister's life had fallen apart as a result and my parents, who were approaching 80, were over-taxed mentally and physically from it all, notwithstanding that their son was in prison in a faraway country. My heartache increased. I was supposed to be there for them.

I came to an understanding that, if I were to clear my name, get out of prison and get my daughter back I had to do it myself. In spite of my health I had a half-century of life-experience, education, skill and a defiant survivalist instinct to start with. I taught myself what law I could get access to. Prisoners began seeking me out for advice and help with their own legal matters. I've thoroughly read more than 20 cases, trial transcripts and family law matters, which, by helping them helped me to learn more and more in order to help myself. It had been a long, difficult ordeal against minimal resources and other obstacles prone to being in prison, but by the last part of 2015 my self-prepared appeal was accepted for review by the Supreme Court, pending a hearing and decision.

By reading so many cases and hearing first hand so many stories, I came to realise how common the injustice is and how critically flawed is the system in general – in dire need of change. Any delusions I held as a common member of society about justice had been thoroughly washed away through direct experience. It is a serious problem that must be sternly addressed on many levels. So, tentatively, I have a new future career.

Australia Day today holds a very different meaning for me than it did in those love-sheltered years as an *American down under*, but my love for Australia and my responsibility to

the wellbeing of my daughter's country is still as strong as the day my daughter was born. On the news I watch the crowds of people gathering for the day's celebrations I once embraced eagerly with them, dressed out in Aussie colours, their children's faces painted. Free. I look closely among the throngs in hope of catching a glimpse of my little girl, now age 15, trying to imagine what she must look like today. Would I recognise her? Would she recognise her own daddy now aged and grey beyond his years? I fear the answer. Suppressing a familiar pain rising from the core of my heart I turn off the TV, wipe my eyes, sigh deeply and write out what *Australia Day means to me, now.*

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The settlement of Australia began with the arrival of convicts - 548 men, 188 women - to Botany Bay with the First Fleet on 26 January 1788. The very survival of the colonies depended almost exclusively on convict labour and skill that was put to work in construction, farming, agriculture and more, forming the staple of the colonies. By 1830 64,000 (83%) of the 77,000 colonial population were convicts who had been transported from their homeland under inhumane conditions to what for most was still a mythical land somewhere on the other side of the world. If not for those convicts – many who had been convicted of mere petty crimes or trumped up fabrications not dissimilar to the situation today – the Australia we celebrate would never have existed, likely not surviving its first few years. My Aussie wife, who was unnaturally obsessed with Australia's convict heritage, used to tell me, '*You're not a true Aussie until you've been in gaol, mate!*' It would appear that she got her wish of me becoming an Australian citizen after all, however 'honorary' the title might be. For one day each year I can now boast that I'm more *Aussie* than she is. And, while my campaigns for reform as well as for a republic will be tireless and determined in a time when I am finally set free one way or the other, on each 26 January I will be speaking as a *True Blue Aussie*, carrying on a convict tradition of building this nation with a strong desire to *Advance Australia Fair.*

If you know my daughter, tell her I love her and that I never left her. I was taken.

John Victor Ramses,  
Convict, Australia Day 2016  
*Somewhere over the rainbow in a land called 'Oz'*

\* Permission to publish part or whole is granted by the author.

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