

PROJECT EVIDENCE

PROJECT EVIDENCE for Prevention of Mental Disorders. The project coordinator is Dr Allan Mawdsley. The version can be amended by consent. If you wish to contribute to the project, please email admin@mhyfvic.org

[3] Indicated Programs are those for young people who will inevitably develop mental disorders unless there is preventive intervention.

[3 b.] Psychological factors

i Children in detention

ii Children of Parents with Mental Illness

[3 b i] Children in detention/ Children of asylum-seekers

Australia is a large country with a small population. It is an advanced country with a high standard of living and a low birthrate. It has benefitted enormously from immigration boosting the workforce, the population and the economy. Notwithstanding some concerns about the growing world population causing causing stress on the availability of natural resources, it is generally accepted that Australia is well-placed to accommodate significant continuing immigration.

The rate of immigration has varied over the years with humanitarian influxes due to refugees from wars on top of a relatively stable acceptance of about a quarter of a million immigrants every year. Only one twentieth of this number are refugees (about 12,500pa). The great majority of immigrants are selected on the grounds of desirable work qualifications and family re-union criteria, but even unselected refugees have overwhelmingly proven to be valuable citizens.

Awareness of the huge numbers of displaced persons around the globe necessitates control of immigration so as to avoid overwhelming our resources and causing economic and social disruption. There must be a balance between provision of humanitarian aid, including acceptance of immigrants, and the capacity of the nation to absorb the burden. It is the responsibility of the Commonwealth Government to ascertain appropriate targets and to set in place mechanisms for orderly evaluation of requests for immigration, including by those seeking asylum from life-threatening persecution. It is morally imperative that there be a readily available and recognised process for processing of applications for migration and asylum. Inasmuch as the numbers may be greater than can be immediately absorbed this may necessitate "forming a queue".

Notwithstanding that Australia is a signatory to United Nations conventions on humanitarian treatment of refugees, over the recent several years Australia has enacted a bizarre selective imprisonment policy for refugees arriving by boat (although not similarly for those arriving by air). The rationale is not for management purposes (which decades of past experience show is best achieved by community living) but for punitive deterrence. A strident racist vocal minority of our population, with unproven claims of adverse impact on employment, has influenced politicians to stigmatise refugees to justify deterrence. The refugees are imprisoned indefinitely without trial, not because of what they have done but because of the possibility that others might follow them to Australia.

The stigmatisation as "illegal" when no law has been broken, detention without trial which is against international humanitarian principles, indefinite detention in substandard conditions amounting to torture which inflicts serious mental damage on the individuals, and the unethical concept of torturing someone for what some other unrelated person might do (but hasn't yet done), all degrade Australia's international standing. However, now that it has become politically contentious, neither of the major political parties has the courage to defy the racist minority. It is crucial for independent citizens to lobby to abolish this inhumane practice.

The seriousness of the harm inflicted on imprisoned refugees is well documented. A good account is available in Professor Louise Newman's paper, "Cry Freedom! Child Asylum Seekers in Australia: the intersection of human rights and mental health" given as the fifth Winston Rickards Memorial Oration on 4th March 2014. It is available on the MHYFVic Website in the Orations section.

The Government is aware of community concerns that persons seeking a higher standard of living ("economic migrants") may attempt to gain priority over more urgent applications, such as asylum seekers, and that irregular entry such as maritime arrivals may constitute "queue jumping". Policies need to address these concerns but should do so in a way that does not cause damage.

Notwithstanding that the overwhelming majority of asylum-seekers are found to be genuine refugees, the current processes of mandatory detention cause unnecessary damage during the processing which is counterproductive to the objective of humanitarian assistance. This is especially concerning in the case of children of asylum seekers and unaccompanied minors.

This paper proposes a mechanism by which objectives can be attained more economically and without damage. The primary objectives are:

- Orderly processing of applications in other countries as well as on-shore
- Queuing of successful applicants and repatriation of unsuccessful applicants
- Community-based housing, health care, education, employment and social services for applicants
- Assistance with community integration for successful applicants.

Orderly process of application in other countries as well as on-shore

Australia accepts many thousands of new settlers each year in a variety of categories, one of which is settlement of asylum-seekers. One of the oft-stated reasons for maritime arrivals is that there is insufficient mechanism for application without such attempts. If there was a better mechanism for application and processing in other countries, most of the incentive for maritime arrival would be removed. This would be additionally strengthened if the speed of processing was just as fast in other countries such that maritime arrival would confer no advantage.

Coordination with the United Nations High Commission on Refugees in ascertainment of legitimacy of refugee status should accelerate the process of deciding whether or not immigration is possible.

Queuing of successful applicants and repatriation of unsuccessful applicants

If orderly processing enabled decision for acceptance as a refugee, a queue number could be allocated which would predict the timing of resettlement depending on the annual intake rate. The processing time of irregular maritime arrivals could take longer if papers are not in order, which would not confer an advantage and could possibly delay allocation of a queue number. This should be a disincentive to maritime arrivals. A further disincentive could be transit accommodation off-shore, such as on Christmas Island, in the community with normal community supports, pending ascertainment of eligibility.

The UNHCR often judges asylum claims to be valid but is unable to immediately arrange settlement in new countries. Australia accepts some of these. Concerns by transit countries about delays in settlement of queued refugees should be managed by adjustments in foreign aid.

Applicants whose claim of asylum is not upheld would not be given a queue number but if processed in a transit country would still be free to seek immigration to other countries. If processed in Australia because of maritime arrival the disposition will continue to pose the same difficulties as at present, but in all cases should be adjudicated by independent (non-political) judicial procedures.

Community-based housing, health care, education and social services for applicants

The main factors causing damage to asylum-seekers are related to the indeterminate incarceration. The former practice of assessment in the community has been abandoned for the abovementioned stigmatisation reasons. There has developed a mythology that refugees are dangerous or that they will melt into the community and not be able to be found again. The available evidence of successful past community-based assessment has been ignored.

There is every reason to believe that refugees who wish to obtain permanent residence will obey requests to remain in regular contact with authorities, particularly if it is made clear that failure to do so would jeopardise their claim for asylum. There is absolutely no reason to require expensive, damaging imprisonment instead of community-based supervision whilst processing is undertaken.

Community-based processing whilst living in public housing, provided with the same health care as is available to other Australians, encouraged to go to work and schooling and to behave as normal family groups, would be far cheaper, far more humane and far better in terms of avoidance of damage than the current system of incarceration. So, why don't we do it? The great majority of claimants are approved and will be far better off with this beginning than with several years of dispiriting imprisonment. Detention should only be used for the small minority who are eventually deemed to be ineligible or who commit offences.

Assistance with community integration for successful applicants.

Promotion of mental health and wellbeing, and productive citizenship, is best achieved by encouraging normal family life in a safe, secure setting, with adequate food and shelter, and appropriate employment and training. These conditions are best achieved in an open community setting. Some employment may be available in the community but additionally it could be appropriate to offer employment on developmental projects such as construction of public housing and facilities which would reduce the cost of these being provided by the community.

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