



ASeTTS Position Paper on the Treatment of Asylum Seekers

July 2014

About the Association for Services to Torture and Trauma Survivors (ASeTTS)

ASeTTS' mission:

*To enable healing and acceptance for refugees affected by torture or trauma*¹

Our core business is supporting the recovery from torture and trauma of people who have arrived in Australia as refugees and asylum seekers. Our clients are from a diverse range of cultural, linguistic, socio-economic and religious backgrounds. We aim to provide services in a manner which is respectful and inclusive. Recognising that people have different needs and are at different stages of the recovery process, our services range from clinical counselling through to family support and community programs. We also train other service providers working with survivors of torture and trauma. ASeTTS' works with asylum seekers in detention centres and in the community.

ASeTTS' approach to torture and trauma recovery

The ASeTTS Model of Recovery forms the basis of ASeTTS' work with clients. The Model of Recovery is based on *Rebuilding Shattered Lives*,² a framework developed by the Victorian Foundation for Survivors of Torture Inc. This framework provides the guiding principles for all torture and trauma services which are part of the Forum of Australian Services to Survivors of Torture and Trauma (FASSTT).

The Framework of Recovery has four core recovery goals which guide our work with clients:

- To restore safety, enhance control and reduce the disabling effects of fear and anxiety.
- To restore attachment and connections to other human beings who can offer emotional support and care.
- To restore meaning and purpose to life.
- To restore dignity and value whilst reducing excessive shame and guilt.

The framework addresses the impacts of torture and trauma on individuals, families, and communities. The recovery goals are linked to the causes of the trauma reaction. The trauma reaction is the survivor's reaction to the acts perpetrated against them and/or the events they experienced. These reactions are influenced by the meaning subscribed to such events by the survivor. The meanings subscribed will be influenced by personality and the cultural, social and political context. Hence the impact of torture and trauma is complex and can manifest in multiple ways.³

¹ A refugee is a person who "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country..." *Article 1, The 1951 Convention Relating to the Status of Refugees*. Asylum seekers are those people who have not yet had refugee status recognised. ASeTTS works with both asylum seekers and those who have been recognised as refugees.

² Victorian Foundation for Survivors of Torture Inc; *Rebuilding Shattered Lives*, 1998

³ A comprehensive description of the impact of torture and trauma can be found in *Rebuilding Shattered Lives*. There is an abundant source of literature on the impact of torture and trauma generally but authors in this area covering refugees and asylum seekers in Australia include (but are certainly not limited to) Derek Silove, Zachary Steel, Ida Kaplan and Louise Newman.

Purpose of this Position Paper

The purposes of this position paper is (1) to highlight the impact of Australian policies and public discourse on asylum seekers, and (2) to outline four principles for a more humane treatment of asylum seekers which will minimise further damage to their mental health and wellbeing.

The arrival of asylum seekers in Australia by boat has generated some of the most contentious and emotionally volatile public discourse, political debate and media coverage in recent history. This has led to an atmosphere in Australia which is unwelcoming, and even hostile, towards asylum seekers. Media coverage and public discourse is, in the main, ignorant and devoid of empathy in regards to the factors which cause people to flee their countries. Attention is instead focused on “protecting” Australia’s sovereignty and annihilating the scourge of “people smugglers”.

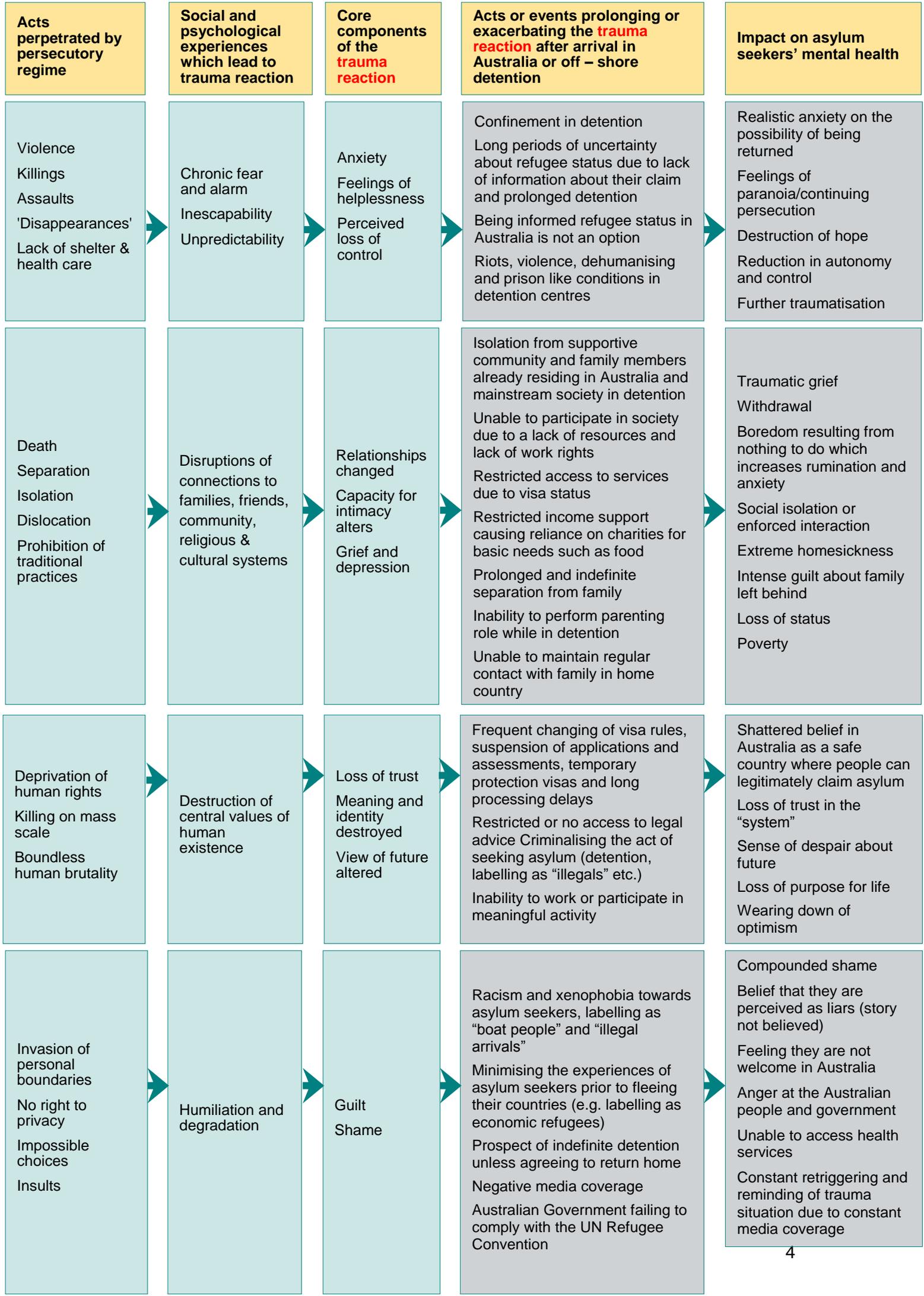
The generally negative atmosphere for asylum seekers in Australia has enabled the development and enactment of policies aimed at deterring the act of seeking asylum in Australia and, if this fails, punishing those who do. As a provider of mental health and psycho-social services to refugees and asylum seekers, ASeTTS bears witness to the mental health impact of these policies on asylum seekers. This position paper is grounded in our experience working with asylum seekers and draws on the large body of national and international research and policy on torture and trauma.

Impact of Australian policies and public discourse on asylum seekers

As outlined previously, the Model of Recovery followed by ASeTTS in working with clients aims to restore the foundations of mental wellbeing which have often been severely damaged as a result of torture and trauma. Australia’s responses to asylum seekers can serve to exacerbate and prolong trauma or at least prevent the commencement of a process to address the traumatised individual’s mental distress. The table on the following page provides an overview of how harsh deterrent policies contribute to exacerbating and/or prolonging ongoing mental distress.

Through our work with asylum seekers we can attest to the negative effects of harsh deterrence policies on their mental health and wellbeing. These effects are compounded by exposure to negative public opinion and media portrayal. Rarely is the experience of the asylum seeker and the circumstances leading to his or her flight at the centre of the public discourse. In other words, the story of human suffering and tragedy as a result of repressive, brutal and authoritarian regimes who have failed to respect and uphold human rights is overlooked. Instead, a narrative which diminishes and trivialises the experiences of asylum seekers and focuses on the people smuggling trade is promoted in order to support harsh policies designed to discourage those needing protection from looking towards Australia.

The profound sense of relief felt by asylum seekers once they have arrived on Australian shores is quickly dispelled and replaced by disbelief, a sense of betrayal, high anxiety and depression. ASeTTS’ counsellors report that existing trauma and grief carried by the asylum seeker often cannot be addressed through therapy because the asylum seeker is focussed on his or her claim for refugee status on which their future in Australia is dependent. The counsellor’s role becomes one of supporting the client to hold and contain anxiety and to try and maintain hope for the future. As hope is pinned on the granting of refugee status and counsellors have no involvement in the determination process, this can be extremely difficult because providing false hope is obviously unethical and counterproductive.



Minimising harmful effects on mental health and wellbeing in the treatment of asylum seekers

Based on our experiences with asylum seekers, ASeTTS has developed four principles that we believe should frame the treatment of asylum seekers in Australia. Underscoring these principles is ASeTTS recognition that asylum seekers have the right to fair and humane treatment as embedded in The Universal Declaration of Human Rights, the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees. Australia is a signatory to both the Convention and the Protocol.

To achieve fair and humane treatment of asylum seekers and the minimisation of further harm to their mental health and wellbeing we believe the following needs to occur:

1. ***Asylum seekers should not be held in offshore detention.*** Detention anywhere is damaging to the mental health and wellbeing of asylum seekers. Offshore detention, outside Australian jurisdiction, risks further human rights violations.
2. ***Onshore detention should comply with the UNHCR Guidelines on Detention.*** Detention of asylum seekers has been shown to have severe mental health consequences, especially beyond 3-6 months. The impact of detention on children is highly detrimental. Onshore detention should therefore only be an exceptional measure and should comply with the UNHCR Guidelines on Detention.⁴
3. ***Asylum seekers in the community should have work rights and access to services.*** Asylum seekers should have the right to work and have access to social welfare, including health care and mental health care, income support, and education, in accordance with the standards, rules and criteria applied to the community as a whole.
4. ***Applications for refugee status should be processed fairly and as quickly as possible.*** Application for, and assessment of, refugee status determinations should be facilitated and processed as speedily as possible as per the United Nations process. Appropriate legal advice should be made available. The process should be transparent and applicants who are refused visas should be informed of the grounds for rejection, including the outcomes of identity and security checks.

⁴ The UNHCR Detention Guidelines are available at <http://www.unhcr.org/505b10ee9.html>.