Seeking asylum in Australia: Mental health and human rights of children and families

Professor Louise Newman, Professor of Developmental Psychiatry, Director for the Centre for Developmental Psychiatry and Psychology, Monash University

Seminar held at the Institute on 15 March 2012

Report by Jacqueline Stewart

Australian immigration law requires the detention of all unauthorised arrivals in secure facilities until resolution of their asylum claims. In this well-attended seminar, Professor Louise Newman explored the effects of detention on asylum seekers, particularly children and families. She also examined factors that promote the health and wellbeing of young asylum seekers and families and key barriers to protecting these vulnerable groups.

Asylum seekers are profoundly affected by their time spent in detention. Informed by her visits to immigration detention facilities and work with asylum seekers, Professor Newman highlighted the poor mental health and emotional wellbeing suffered by children and families during detention. Depression, anxiety and post-traumatic stress symptoms are among the most common mental health problems experienced by parents and children. The longer that young asylum seekers and families are detained, the greater the decline in their mental health.

Time in detention also raises issues related to psychosocial adaptation, recovery and social inclusion. Professor Newman spoke of how the capacity of asylum seekers to adapt and emotionally cope with their circumstances, so that they can maintain some quality of life, is compromised. When detained, parents become depressed about their inability to care for their children in the way that they want, and subsequently withdraw from their families. Children (both accompanied and unaccompanied) experience attachment disorders, withdrawal and developmental delays. Upon exiting detention, traumatised children and families often experience confusion about first being socially marginalised and then needing to integrate into Australian society. With limited support available to them, unaccompanied minors can also struggle to stay connected with their cultural practices and traditions, further adding to their feelings of isolation.

Following a moving review of the trauma experienced by asylum seekers during detention, Professor Newman explored strategies and practices that would enhance the mental health and social and emotional wellbeing of young asylum seekers and families. These included:

- providing community-detention options;
- offering opportunities for children and families to socialise in communities during detention, including the ability for children to regularly attend school;
- providing guardians for unaccompanied minors (ensuring an independent party is available to advocate for their mental health and human rights);
- offering ongoing advocacy to promote and protect the human rights concerns of asylum seekers;
- offering settlement support, specifically more housing and psychosocial supports;
- assisting with trans-generational repair to help children to sustain culture and memory and not to become “stuck” with unspeakable trauma; and
- conducting longitudinal studies to further identify the factors that support recovery and successful settlement following detention.

Improved assessment processes are also critical. Such processes need to adopt a trauma framework that ensures all assessors understand the nature of trauma and how it can affect a person’s ability to communicate their reasons for seeking asylum. The workforce (including interpreters—often in short supply—and case managers) needs to be skilled in how to support children and families to put their story into a narrative form. Furthermore, children need to become part of the family assessment interview. Often they are not included, yet children are sometimes the only family members who are able to articulate what the group has experienced.

Significant barriers to protecting the mental health and social and emotional wellbeing of young asylum seekers and families include:

- the psychological trauma experienced by children;
- the impact of the legal process on families;
- the lack of adequate support for families;
- the limited access to mental health services for asylum seekers;
- the stigma associated with seeking asylum;
- the lack of understanding of the trauma experienced by children; and
- the cultural and linguistic barriers faced by asylum seekers.

To address these challenges, Professor Newman recommended:

- increased funding for mental health services for asylum seekers;
- the development of culturally appropriate mental health resources;
- the provision of interpreters and cultural brokers;
- the development of a trauma-informed approach to assessment and support; and
- the establishment of a national register of all cases of family trauma to ensure continuity of care.

In conclusion, Professor Newman emphasised the importance of recognising the profound impact of detention on asylum seekers, particularly children and families, and the need for a trauma-informed approach to support their recovery and successful settlement in Australia.
seekers and families need to be overcome. Key barriers include having:

- incomplete data, making it difficult to determine the nature or extent of their problems (such as self-harm and suicidal behaviour);
- inaccessible services, due either to physical barriers (rural and regional processing services have limited access to the required supports) or issues of acceptability (children and families may view existing services with fear or mistrust because of previous negative experiences here or overseas);
- regional responses that fail to address human rights concerns, as asylum seekers held overseas can live in dangerous conditions that compound their trauma;
- limited understandings of how (if at all) Western models of trauma are relevant or meaningful to asylum seekers; and
- dehumanising processes and institutions, such as environments that teach children to identify with a number rather than their name or offer few “safe” spaces for play, socialising and education.

Professor Newman powerfully conveyed how time in detention results in the convergence of mental health and human rights concerns. Priority action is needed to protect young asylum seekers and families, and positively support their psychosocial adaption and recovery. As they are possible future members of Australian communities, the negative consequences of not acting for these vulnerable groups are substantial.

**An educaring approach to healing generational trauma in Aboriginal Australia**

Emeritus Professor Judy Atkinson

*Seminar held at the Institute on 12 April 2012*

*Report by Vicki-Ann Ware*

Following the release of the *Gone Too Soon* report on youth suicide in the Northern Territory, Emeritus Professor Judy Atkinson’s presentation provided a timely reminder of the ongoing and complex generational trauma being experienced in Indigenous communities across the country. Her work demonstrates the urgent need to address this trauma in order to effectively tackle the cycles of violence and dysfunction afflicting so many Indigenous communities today.

In a compelling and personal account, Professor Atkinson used genograms as a graphic way to demonstrate how intergenerational effects of colonisation, the Stolen Generations and ongoing stigmatisation of Indigenous peoples compound trauma in their lives and prevent them from getting on with productive and fulfilling lives. She then described her journey with the We Al-Li program in developing a series of training courses aimed at helping Indigenous communities to heal their own trauma. These programs were developed through a process of the Indigenous practice of deep listening (*dadirri*) to uncover stories of pain and abuse in people's lives, exploring Indigenous approaches to healing from Canada, and then developing and trialling a suite of trauma recovery programs.

This approach is used in both group work and with individuals. Professor Atkinson detailed the approach in her 2002 book, *Trauma Trails: Recreating Song Lines. The Transgenerational Effects of Trauma in Indigenous Australia.*

Today, these trauma recovery programs are based upon the research of academics such as Bruce Perry, Bessel van de Kolk and Richard Mollica. Bruce Perry’s main contribution to Atkinson’s approach is the notion that severe and repeated trauma in early childhood affects the biological development of the brain, creating distorted memory pathways. This in turn affects the way in which many children and adult survivors of trauma respond inappropriately or negatively to a range of experiences and stimuli in their day-to-day environment. Like Perry, Van de Kolk and Mollica each have more than 30 years of experience as clinicians and researchers working with survivors of traumatic experiences such as war and torture. They provide rich insights into effective approaches for dealing with complex trauma.

Professor Atkinson’s approach is rich in the use of the creative arts as a medium or tool for healing. The arts create a safe space in which feelings, experiences and
perceptions of trauma, grief and loss can be explored and expressed. The use of art forms such as storytelling, theatre, dance, music and writing are particularly effective in Indigenous communities because many of these practices (such as storytelling) form a core part of Indigenous cultural and artistic practice. Visual and performing arts are particularly useful when dealing with traumas that have occurred in pre-verbal stages of childhood development, where victims may not be able to verbalise what has happened.

One of the major challenges in the area of trauma healing is the limited evidence base. Therefore, Professor Atkinson plans to continue writing up and evaluating the We Al-Li approach to help improve the evidence around what is effective in healing Indigenous generational trauma.

The report of the Protecting Victoria’s Vulnerable Children Inquiry: Another political panacea or a positive road to reform?

Justice John Fogarty

Seminar held at the Institute on 15 May 2012

Report by Ken Knight

Following the release of the report of the Protecting Victoria’s Vulnerable Children Inquiry in February 2012, a range of expert commentators offered appraisals and reflections on the inquiry’s findings and recommendations. Justice John Fogarty, a retired Family Court Judge, gave an insightful presentation outlining his response to the report.

Justice Fogarty was concerned when he discovered that the Victorian government had established a full inquiry into child protection, as he has seen many come and go, unheeded and unproductive, in his career. These misgivings were allayed, however, when he learned of the inquiry’s wide range of terms of reference, that three very able and informed individuals were appointed to carry out the inquiry, and that a reasonable range of support services were provided.

The report was completed promptly and in his view examined a wide range of important issues with care and professionalism. Many of its recommendations are challenging, Justice Fogarty remarked, and require the government to respond in depth.

Much of Justice Fogarty’s presentation focused on the report’s findings and recommendations in relation to mandatory reporting obligations of the clergy.

Child sexual abuse within religious organisations has remained a topic of great public concern in recent years, and mandatory reporting of abuse by the clergy has been discussed at length in the media and in politics. Despite the profile of the issue, South Australia is the only Australian state or territory that has legislation relating to mandatory reporting by religious organisations.

The inquiry’s panel made it clear that it was not able to investigate past incidents of alleged abuse, but determined to give this issue very close attention. Neither was the inquiry able to discuss, except in a general way, the compensation of victims.

The panel expressed its concern about the ways in which religious organisations have responded to allegations of child sexual abuse in the past, and recommended that a formal investigation be conducted. Such an investigation should possess the power to compel the appearance of witnesses and production of documents.

In the wake of these recommendations, the Victorian Government has established a parliamentary inquiry into the handling of alleged criminal abuse of children by religious and other organisations.

The panel made a number of further recommendations on this matter, including that the Crimes Act be amended to create a separate reporting duty where there is a reasonable suspicion that a child or young person under 18 is being, or has been, physically or sexually abused by an individual within a religious or spiritual organisation.

Furthermore, the duty should extend to:
- a minister of religion; and
- any person who holds an office within, is employed by, is a member, or a volunteer of a religious or spiritual organisation that provides services to or has regular contact with, children and young people.

An exemption will be provided for information received during the rite of confession.

Justice Fogarty closed rhetorically: “What will the government do?” The power and strength of the report’s recommendations over so many areas may be lost over time unless the Victorian Government provides a careful analysis of them and a clear statement of its intention to act or not act on its particular recommendations.

Otherwise, in the broadest sense, it will be worth nothing, and it will join many disregarded child protection reports of the past.