Spectrum Migrant Resource Centre
Submission to Inquiry into Australia's Immigration Detention Network

Spectrum Migrant Resource Centre (MRC) welcomes the opportunity to respond to the Federal Government's Joint Select Committee on Australia's Immigration Detention Network's request for submissions. Spectrum MRC's specific interest in submitting this response relates to our organisation's work in advocating for the interest of newly arrived communities to help ensure their positive settlement in Melbourne's North -West Metropolitan Region.

About our Organisation

Spectrum MRC is a not-for-profit community organisation working to assist generations of migrants and refugees to successfully settle and reach their full potential in Australia. The organisation was initially established in 1980 to provide settlement services for migrants and refugees living in the North - West Metropolitan Region of Melbourne. As service demand has expanded, Spectrum MRC has responded by offering support reaching widely across Melbourne, including specific project areas which have state-wide reach. The scope of our services includes:

- Influencing society to build more inclusive communities;
- Delivering culturally appropriate and responsive settlement & family services;
- Making immigration advice affordable for individuals and employers;
- Empowering communities to identify and address settlement challenges;
- Providing culturally-tailored, hands-on & job-focused training;
- Transitioning jobseekers into sustainable employment;
- Assisting ageing migrants and people with a disability to participate in life at home and in the community.

All Spectrum MRC activities are driven by a client focus and help to support newcomers in their transition to Australian society and the organisation aims to foster economic and social inclusion at the onset of clients' arrival.

Spectrum MRC works to support the settlement of refugees once released from detention through our Humanitarian Settlement Service (HSS), Special Grants Program (SGP), Complex Case Support (CCS) and other services. For this reason, Spectrum's knowledge relates to the impact of detention upon families, children and individuals once granted refugee status and released into the community.

We have chosen to respond to only those terms of reference that reflect our expertise. We also preface our statements with the recognition that a form of detention for the purpose of health and security checks are important for national security purposes, however, the length of this can be reduced as per practices in Canada and Sweden.

This submission reflects consultations with internal Spectrum MRC staff in our HSS, SGP and CCS programs, as well as with members of the North East Region Settlement Information Network (NERSIN), including AMES, Northern Metropolitan Institute of Technology (NMIT), Darebin Community Health Centre, Salvation Army and Jesuit Social Services.

1(b) The impact of length of detention and the appropriateness of facilities and services for asylum seekers:

Spectrum MRC strongly supports the views of Refugee Council of Australia (RCOA) in its concern about the impact of detention upon the mental health of new arrivals.[1] As asylum seekers may have experienced forms of torture and trauma in their homeland or transit countries, adequate support to ensure physical and psychological wellbeing is required and may be jeopardised during extended periods of detention. Not only may care and treatment be compromised, but the impact of lengthy detention can further exacerbate trauma and mental health issues. Numerous studies demonstrate the negative impact of prolonged detention on mental health and psychosocial wellbeing.[2] Additionally, recent research suggests that the negative health effects may be long-term, extending well beyond the point of release into the community.[3]

Spectrum MRC has first-hand experience of working with clients who have spent long periods of time in detention. As a result of this prolonged experience, these clients often face serious settlement and mental health concerns – including depression, anxiety, and anger management issues. This is in addition to the general settlement challenges that all people from refugee backgrounds can face, including housing difficulties, the acquisition of English, a lack of employment, the impact of family separation and the effects of trauma.

As a result of Spectrum MRC's role in convening the North East Region Settlement Information Network (NERSIN), numerous agencies and education providers have also raised these serious concerns. For example, a local TAFE English providing on-arrival English (AMEP) is currently reporting extreme challenges with engaging students who have spent time in detention (predominantly men) in their on-arrival English programs. Although the students enroll and are keen to learn English, the TAFE notes that depression, mental health issues and a general sense of 'displacement' and 'transience' makes it difficult for these students to engage with the routine of classes and curriculum, far more so than their other students from refugee backgrounds who have not been in detention. The TAFE feels they do not have the additional staff and resources to adequately follow up and support these students in the intensive way they require, and are concerned for their wellbeing and the future consequences of their inability to engage with on-arrival English programs, further education and employment.

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[1] Refugee Council of Australia, Submission to the Senate Legal and Constitutional Affairs Committee Inquiry into the Migration Amendment (Detention Reform and Procedural Fairness) Bill 2010. http://www.refugeecouncil.org.au/resources/submissions/1106_Detention_sub.pdf Accessed 25.7.11

[2] Silove, D., Austin, P. & Steel, Z. No Refuge from Terror: The Impact of Detention on the Mental Health of Trauma-affected Refugees Seeking Asylum in Australia, *Transcultural Psychiatry*, September 2007, vo. 44, no. 3, 395-393.

[3] Ibid.

The challenges experienced by the English language providers appear to be a direct flow on effect from unhealthy patterns established whilst in detention. Clients report that during their time in detention, they had no sense of purpose or routine – for one to two years many individuals slept throughout the day, rising only for meals, as a way of coping with the situation they found themselves in. These patterns appear to be difficult for individuals to break out of once granted visas and living out in the community. Spectrum MRC and NERSIN strongly advocate for there to be opportunities for productive activity within detention centres whilst people's applications are being processed, such as the opportunity to study English or engage in some kind of meaningful work. This would at least provide a foundation for people's integration into the broader Australian society if their visa is approved, and would prevent more serious mental health issues from developing amongst detainees.

Spectrum MRC's work with clients from this demographic also suggests that the detention experience actually sets up negative patterns of dependency and a reliance on services – a direct contradiction of what settlement services attempt to achieve. Case workers note a concerning trend in supporting those who have experienced long term detention, in that in many cases clients appear to be 'institutionalised'. Ex-detainees often report feeling extremely disempowered to make positive change in their lives, and can become overly reliant or dependent upon services. This makes it difficult to engage in and for clients to benefit from empowering and strengths-based approaches.

Individuals, families and children who have experienced long periods of detention often require intense amounts of support upon post-release (often through the support of DIAC funded programs, the health system or other government funded services such as the education system). This places a further burden on these government-funded services. DIAC recently introduced a Complex Case Support (CCS) program to cater for such needs. Whilst welcome, in 2010-2011 the expenditure nationally was $4.8m – it is questionable whether such large funds would have been required prior to such large numbers of refugees being held in detention. A large majority of our CCS clients bear the brunt of the effects of long-term detention. The intensive support required as a result of the detention experience means that it does not make financial or social sense. Lengthy detention is counterproductive to the aims of DIAC funded programs and the support services provided upon release into the community, which promote 'good settlement' and integration.

Spectrum MRC and NERSIN's on the ground experience suggests that the impact of prolonged detention exacerbates the trauma of the refugee experience, creating further barriers to good settlement. This is echoed by the RCOA's research, which suggests that those who have experienced short periods of detention have better settlement outcomes in contrast with people who have experienced prolonged periods of detention.[4]

1(e) The impact of detention on children and families:

Spectrum MRC's experience suggests that the extended detention process negatively impacts on families. Firstly, families are often separated through the asylum seeking

[4] Refugee Council of Australia, Submission to the Senate Legal and Constitutional Affairs Committee Inquiry into the Migration Amendment (Detention Reform and Procedural Fairness) Bill 2010. http://www.refugeecouncil.org.au/resources/submissions/1106_Detention_sub.pdf Accessed 25.7.11

process. Extended periods of detention only exacerbates this period of separation, given that individuals cannot start the family reunification application process while their own status is still pending.

This extended period of separation can have a significant negative impact on family relationships. Spectrum MRC has observed that families who have experienced prolonged separation as a result of detention can often have fragile and difficult relationships once reunited, often requiring the intervention and support of government funded support services. Spectrum MRC strongly advocates for the separation of families not to be drawn out unnecessarily, as this can weaken and undermine family relationships and sow the seeds for future conflict. This also ultimately impacts on these families and children's overall settlement in Australia, and decreases their existing support networks whilst increasing reliance on government-funded services.

Case Study:

An Iraqi man, Mr. F (now a client of Spectrum MRC), was held in detention for over one year. Halfway through this period, he was transferred to another detention centre in a different state in Australia. However, he was unaware of why he was being relocated and this information was not clearly explained to him. At first he believed he was going to be released and granted a permanent visa. Instead, however he was transferred to another detention centre. This led to Mr. F believing he was being targeted for reasons unknown, especially as other asylum seekers who arrived later at the facility than him were granted visas before him. The lack of clear information as to the progress of his application and the reasons for his transfer between detention centres caused Mr. F severe anxiety, depression and anger. In Iraq, Mr. F had been kidnapped, and also imprisoned for a period of time by government authorities. His time spent in an Australian detention centre and the lack of transparency around the progress of his application mirrored his experiences in Iraq, in terms of reinforcing his sense of persecution and a lack of control over his circumstances.

Mr. F was granted a permanent protection visa at the end of his time in detention. However the after effects of both his experiences prior to arriving in Australia, and his time spent in detention, are still present in his life. He appears highly distressed and traumatized when recalling his time in detention, and feels he was unnecessarily punished for reasons he still cannot explain. He has since been reunited with his wife and children in Australia, however his wife reports he is not the same man she knew back in Iraq. He complains of constant nightmares, and has severe depression and anxiety. His wife reports that often he has unprovoked outbursts of anger towards his children, who were separated from their father for several years through the asylum seeking process.

His wife believes that his time spent in a detention centre in Australia has further exacerbated the trauma he fled from in Iraq. She worries for their family, and his ability to be a good father to their children and his capacity to support them financially. Mr. F's trauma and mental health creates a strain on the family relationships, as Mr. F's wife now feels she is effectively functioning as single parent, married to a man she feels she no longer knows.

Recommendations:

1. Process asylum seekers' claims as readily as possible, to avoid unnecessary time spent in detention and the negative effects of prolonged family separation.
2. Provide opportunities for asylum seekers to engage in meaningful activity whilst in detention, such as English classes or employment of some kind.
3. Explore alternatives to long-term detention, to avoid exacerbating trauma and mental health issues which impact on government funded services upon release.

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