

# People Seeking Asylum



## Introduction

**Baptcare's vision of Australia is that of a welcoming and inclusive nation, where we value the contribution of migrants of all ages across the life spectrum and assist them to settle successfully and productively as a part of our multicultural community.**

A refugee is a person who is outside their own country and is either unwilling or unable to return to their country of origin due to a genuine fear of being persecuted due to race, religion, nationality, political opinion or membership of a particular group. People seeking asylum are those who flee from their own country and apply for protection as a refugee (AHRC 2013). As a mission driven organisation committed to human rights, we support the vision of Australia being a safe haven for refugees, their families and children who are unable to return to their country of origin due to a genuine fear of being persecuted. This includes people seeking asylum who are in the process of applying for protection as a refugee.

## History and background

The vast majority of the world's 21.3 million refugees (World Refugee Council 2015) seek shelter in the least developed and poorest countries of the world. Those that are not resettled languish in refugee camps or are kept in a state of uncertainty, living in communities that will not

accept them but with nowhere to go. Australia has a long history of providing asylum to those facing persecution in their own countries, with over 750,000 refugees and displaced persons being resettled in Australia since 1945 (Phillips 2013).

Prior to 2009 the majority of people seeking asylum in Australia arrived with a valid visa by means of air travel and went on to apply for asylum once onshore. Only a small proportion of asylum applicants arrived by boat. The climate of debate amongst the general population and current government policy has become negative, with the propagation of various myths playing a part of this process. Unfortunately, in the absence of any positive bipartisan political leadership, the messages disseminated through the media are often inaccurate and value laden, using emotive language without critique, and at times demonising people seeking asylum as a group.

This language has shaped public opinion and in turn results in greater negative political pressure. The politicising of people seeking asylum, and their methods of arrival, has led to constantly shifting national policy regarding how to handle individuals in the period between their arrival in Australia as an asylum seeker and the determination of their refugee status. As a result, both Labor and Coalition governments have been able to introduce immigration policies which retreat from Australia's international obligations, with vocal media and public support.

## *Current context and situation*

Since 2013 people seeking asylum who have arrived by boat have been detained by the Australian government indefinitely in off-shore detention centres. The current Australian government position is that no person who arrives by boat seeking asylum will be granted permanent protection in Australia. Of those who arrived by boat between 2012 and 2013, approximately 24,500 remain in the Australian community. For this demographic, the successive governments have taken years to allow and process applications, leaving the person seeking asylum in a state of limbo with minimal supports. Those that are in the community while their applications are being processed are often denied the right to work, access to affordable medical treatment or welfare support.

There is a large body of evidence that prolonged detention has a detrimental effect on physical and mental health of refugees and people seeking asylum of all ages including; incidents of threatened or actual self-harm among adults (including young mothers) youth and children (ASRC 2014), increased rates of depression, post-traumatic stress disorders (such as nightmares or flashbacks, bed-wetting, stuttering, withdrawal and food refusal), unhygienic conditions, excessive heat, cramped conditions, chest, gut infections as well as recurrent asthma and eye irritations (AHRC 2012). Further, many unaccompanied youth and children have been traumatised by the loss of parents and families through extreme violence or war, murder, abduction, or imprisonment as a result of persecution. The recent Australian Human Rights Commission report on children in detention released early 2015 continued to report the detrimental effects of Australian detention policy on children and to call for Australia to abide by our responsibilities under both the UN Refugee Convention and the Rights of the Child.

People seeking asylum also face multiple social disadvantages. Many face financial disadvantage as they lack adequate economic resources for an acceptable standard of living, leading to a forced lack of the necessities the majority of Australians consider basically essential for life. Some of these necessities include adequate food, clothing, warm bedding, prescription medicines and dental visit, a secure home of a decent standard, supportive family, medical treatment, and a

basic level of savings. People seeking asylum can also face social exclusion when they find opportunities blocked and they cannot participate in the key activities of the society in which they live. Denying people seeking asylum the right to take up employment is seen by some as a deterrence measure, but the human and social cost incurred makes this punitive policy extremely questionable. Absence of the right to work also exacerbates one of the most important challenges facing people seeking asylum and newly arrived refugees – the cost and availability of suitable housing. Many people seeking asylum are also living in poor quality, crowded and unstable housing due to poverty and discrimination in the private rental market. Barriers such as lack of rental history, language differences and racism means they are extremely vulnerable to homelessness. Unstable housing and homelessness also leads to social exclusion and disconnection from community supports.

This precarious material reality has combined with the protracted uncertainty of unresolved visa statuses, the pain of separation from family and community, the scars of past persecution, and prolonged detention in Australia to create a mental health crisis amongst this populace. Studies show that people seeking asylum in the community high levels of depression, anxiety, and PTSD, often extending well beyond their release from detention and after the grant of a protection visa. Some psychiatrists argue that the people seeking asylum develop a distinct mental health disorder, which they call Protracted Asylum Seeker Syndrome (PASS). Characteristics include fluctuating mood, poor concentration and attention, irritability, recurrent intrusive thoughts about the visa determination process, overwhelming feelings of powerlessness, and in some cases psychotic symptoms.

In Victoria, Baptcare provides housing (“Sanctuary”) that offers safe, affordable transitional housing to those people seeking asylum most in need who live lawfully in the community awaiting an outcome of their protection visa, whilst establishing a model of sustainable community-based support. One of the aims of Sanctuary is to improve the psychological wellbeing of residents by establishing a positive community connection through strengths-based and empowerment models. Baptcare Sanctuary provides a range of services to its residents including pastoral care, case management, food bank

and material support, social activities and education and employment services. Most residents have no right to work and many are denied access to Medicare, other essential health services and welfare support.

## *Baptcare's Mission & Christian Witness*

Baptcare's Vision is "Communities where every person is cherished" which articulates an aspiration for Baptcare to nurture communities in their entirety, developing and delivering services inclusively to all members. There are many biblical principles of love and justice which apply to refugees and people seeking asylum (e.g. Micah 6:8; Matthew 22:34–40; Luke 1:46–55; 10:25–37; Romans 12:13; Hebrews 13:1–3; James 2:15–17). In Jesus' parable of the sheep and the goats, the king declares that the faithful may enter the kingdom because "I was a stranger and you welcomed me ... whatever you did for one of the least of these brothers and sisters of mine, you did for me" (Matthew 25:35,40). Ezekiel 47:22 demands that refugees be accepted and afforded the foundations of economic security and treated with equality. 'They shall be to you as citizens' (Brett, 2011). The strong exhortations to include the stranger and welcome the refugee is one of the great and repeated teachings of the entire Bible. It is important that any society which has a passion for justice should stand up against any system which overlooks injustice, especially where it refers to vulnerable people. From a Christian perspective, such injustice goes further: it denies the very roots of the creation story as affirming each person as made in the image of God and worthy of dignity and respect (Stott, 2006). Baptcare's Mission of "Partnering for fullness of life with people of all ages, cultures, beliefs and circumstances" upholds its Christian heritage.

## *A better future / what needs to change*

Recently the federal government has proposed Nauru, PNG and Cambodia as resettlement countries. All three are controversial due to poverty, inadequate health and education, lack of provision for language learning and integration into local culture, and protests by local communities. To date, only a handful of individuals have been successfully resettled in these countries. Indeed, the last time Australia attempted to introduce regional resettlement in Nauru and PNG (Pacific Solution I), the majority of individuals seeking asylum

were ultimately settled in Australia. Numerous studies have shown that resettling people seeking asylum in Australia is economically cost-effective, and that these individuals contribute positively to this country in the long-run. Given this weight of evidence, Baptcare believes that supporting people seeking asylum to live in the Australian community while awaiting processing of their refugee applications is the most productive model for social inclusion and integration. This involves a number of key policy changes.

**First**, in order to help alleviate current crises in homelessness, destitution, and mental health ailments amongst people seeking asylum in the Australian community, this demographic should have access to mainstream homelessness, and mental health services. In addition, where people seeking asylum are in situations of enforced poverty due to previous lack of work-rights, they should be afforded welfare payments at levels provided to the Australian population at large.

**Second**, people seeking asylum need great access to English language classes, job and life skills, and employment. This can be accomplished in a number of ways, for example by:

- Introducing work and study rights for people seeking asylum through the duration of their visa application and processing journey in Australia. This should include periods in which individuals are awaiting outcomes of judicial review and ministerial intervention applications.
- Providing access for people seeking asylum to government-funded English language classes (AMEP) and job-support services or by providing greater financial support to NGOs already providing these services to people seeking asylum.

**Third**, improving visa processing times will reduce periods during which people seeking asylum must live in uncertainty and limbo.

Baptcare believes that our responsibility to exercise our international obligations 'in good faith' requires a transparent, timely processing model that conforms to international principles and does not attempt to curtail the protective provisions in Australian law. Baptcare believes in a welcoming, social inclusive society and encourages our community to provide people seeking asylum with the means for a basic livelihood and participation in all aspects of society so that they have the best possible chance of starting a new life in Australia.

## Policy position

- 1 Baptcare affirms the right of all people to:
  - a) live in dignity and peace in their homeland
  - b) seek asylum and claim refugee status owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion
- 2 Baptcare calls on the Australian Government to retain Australia's commitment to and abide by the principles in the international conventions to which Australia is a signatory when forming immigration and people seeking asylum policy – including the UN Refugee Convention and the Convention of the Rights of the Child. We call on immigration and asylum seeker policy to be recognised as fundamentally a humanitarian refugee issue rather than of border security or defence.
- 3 Baptcare calls on all Australian politicians to demonstrate their moral convictions and to exercise ethical and non-partisan leadership in political and policy debates on immigration and refugee policy.
- 4 Baptcare calls on State and Territory Governments to work with community services and social housing sectors to provide subsidies and concessions that will help alleviate hardship, including the level of housing and utility stress that typically affects people seeking asylum in the private rental market.
- 5 Baptcare is committed to encouraging Australian Baptist churches, groups, families and individuals to consider how they may:
  - a) promote quality teaching and learning on immigration and refugees
  - b) act as advocates for people seeking asylum, refugees and migrants
  - c) develop ministries of welcome, reconciliation and to provide opportunities for people of refugee background to participate socially and economically in the community
  - d) extend hospitality through international friendships and relationships, and
  - e) freely share resources with those in need

## References

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Baptcare is a customer focused, faith centred and purpose driven organisation working across Victoria and Tasmania, providing residential and community care for older people and support to children, families, and people with disability, financially disadvantaged people and people seeking asylum.