

## **Asylum Seekers: What Australia has been doing wrong, and the methods to resolve it**

The Australian government has faced heavy criticism for its treatment of asylum seekers and still struggles to find a solution that will treat refugees and asylum seekers with equity whilst maintaining sovereignty over their own borders. The government's inability to progress into a more humanised and ethical approach towards asylum seekers has proven to be costly. In particular, the use of offshore processing centres has shown to be detrimental for its occupants while simultaneously causing the government to waste billions of dollars<sup>1</sup>. Whilst Australia may boast a non-discriminatory society, negative opinions from the public on the issue of asylum seekers stem from a history of insularity supported by past governments. However, by implementing alternative methods, long-term solutions will be created that can change public opinion. The government must also recognise the role they have within the international community and as a signatory to the United Nations Refugees Convention<sup>2</sup>. It becomes apparent that with the increasing numbers of asylum seekers and conflict around the world, the government must increase its intake of asylum seekers, without compromising on national security.

The term 'boat people' has been a part of the Australian vernacular since the 1970s<sup>3</sup>. In conjunction with the expression 'queue jumper', these derogatory phrases have been used to describe asylum seekers and refugees for over thirty years. However, Australia's reluctance to accept asylum seekers originate from the 1930s, during World War II. As then, Secretary of Department of Immigration, Tasman Heyes stated if "any person...who may suffer persecution in a particular country shall have the right to enter another country irrespective of their suitability as settlers in the second country... would not be acceptable in Australia". This reflected the xenophobic view adopted by the Australian community, which was further echoed through the White Australian policy. Surprisingly, by the end of World War II, the Australian government had resettled 200,000 European refugees. Nevertheless, it became obvious that "these Europeans were accepted primarily as migrant workers who would build the nation, not as refugees in need of protection"<sup>4</sup>. The war had caused 11 million non-Germans to become displaced, and this provided the government, as Immigration Minister Arthur Calwell claimed, "[the] most speedy and economical method of securing best type of migrants required for Australia's economic rehabilitation from non-British sources in shortest possible time"<sup>5</sup>. It becomes evident that the Chifley government sought to take advantage of refugees under the guise of offering asylum, and had never seriously considered offering protection as a moral obligation.

Subsequently, those attitudes became steeped within the Australian government. During the Vietnam War, the first wave of unauthorised 'boat people' came to Australian shores in 1976. While the Fraser government is often credited to be the "champion of asylum seekers and immigration", they also

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<sup>1</sup> Bem, Kazimierz, et al, "a Price Too High: the Cost of Australia's Approach to Asylum Seekers ." Aug. 2007, [pandora.nla.gov.au/pan/76526/20070910-1523/www.oxfam.org.au/media/files/APriceTooHigh.pdf](http://pandora.nla.gov.au/pan/76526/20070910-1523/www.oxfam.org.au/media/files/APriceTooHigh.pdf), Accessed 9 June 2017.

<sup>2</sup>United Nations High Commissioner for Refugees, [www.unhcr.org/en-au/protection/basic/3b73b0d63/states-parties-1951-convention-its-1967-protocol.html](http://www.unhcr.org/en-au/protection/basic/3b73b0d63/states-parties-1951-convention-its-1967-protocol.html), Accessed 9 June 2017.

<sup>3</sup> "Boat Arrivals in Australia since 1976." Parliament of Australia, Commonwealth Parliament, 30 May 2014, [www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/rp/rp1314/BoatArrivals](http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1314/BoatArrivals), Accessed 9 June 2017.

<sup>4</sup> Brennan, Frank, *Tampering with Asylum: a Universal Humanitarian Problem*. St. Lucia, Qld., Univ. of Queensland Press, 2007.

<sup>5</sup> "279 Calwell to Chifley." Department of Foreign Affairs and Trade, 11 Sept. 2013, [dfat.gov.au/about-us/publications/historical-documents/Pages/volume-12/279-calwell-to-chifley.aspx](http://dfat.gov.au/about-us/publications/historical-documents/Pages/volume-12/279-calwell-to-chifley.aspx), Accessed 10 June 2017.

created phrases such as 'queue jumper', words with negative connotations still closely linked with asylum seekers today. The initial welcoming of Vietnamese refugees came about as "the Right supported the refugees as escapees from communism; the Left as part of the project of burying White Australia"<sup>6</sup>. The Australian public also initially regarded the refugees with sympathy, however, public opinion began to change with the increasing number of asylum seekers. Terms such as 'invasion', 'flood' and 'yellow peril' were used to voice oppositions towards refugees. Strikes were even performed by trade union groups such as the Darwin branch of the Waterside Workers' Federation in 1977, who claimed refugees were given 'preferential treatment'<sup>7</sup>. The anger felt by the public fuelled the government's action of separating asylum seekers into those who "waited in camps [who] were coming in the front door" and those that "were coming through the back". As Immigration Minister Ian Macphee stated, "that a proportion of people now leaving their homelands were doing so to seek a better way of life rather than to escape from some form of persecution"<sup>8</sup>, hence suggesting that by accepting asylum seekers, the government would be encouraging these 'queue jumpers'. The concerns raised by the government was reflected in Fraser's effort to create regional boat holding arrangements, where countries such as Malaysia and Indonesia would attempt to stop the boats from arriving in Australia<sup>9</sup>, creating a pretence where the government was both exercising control over their borders whilst accepting large numbers of refugees. The process of selecting refugees clearly echoes the mentality of the Chifley government, as ultimately these refugees "were selected according to their ability to contribute to, and integrate with, the nation, rather than simply their need for refuge and security"<sup>10</sup>.

The introduction of mandatory detention during the second wave of unauthorised boat arrivals from 1989 to 1994, has affected Australian policies tremendously, with the Keating government first introducing the policy in 1992<sup>11</sup>. The Coalition had exploited the public perception on migrants and refugees and criticised the government on their leniency towards asylum seekers. This prompted the government's attention towards mandatory detention with Immigration minister Gerry Hand stating, "the Government is determined that a clear signal be sent that migration to Australia may not be achieved by simply arriving in this country and expecting to be allowed into the community"<sup>12</sup>. This stance in policies is also reflected within the current government. This is evident within the Howard

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<sup>6</sup> Manne, Robert. "Asylum Seekers." *The Monthly*, 18 Dec. 2015, [www.themonthly.com.au/nation-reviewed-robert-manne-comment-asylum-seekers-2706](http://www.themonthly.com.au/nation-reviewed-robert-manne-comment-asylum-seekers-2706), Accessed 9 June 2017.

<sup>7</sup> "Boat Arrivals in Australia since 1976." Parliament of Australia, Commonwealth Parliament, 30 May 2014, [www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/rp/rp1314/BoatArrivals](http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1314/BoatArrivals), Accessed 10 June 2017.

<sup>8</sup> Stevens, Rachel, *Immigration Policy from 1970 to the Present*, New York, Routledge, Taylor & Francis Group, 2016.

<sup>9</sup> "Lest We Forget!" Refugee Action Committee, [refugeeaction.org/20130729/lest-we-forget/](http://refugeeaction.org/20130729/lest-we-forget/), Accessed 9 June 2017.

<sup>10</sup> "Welcome to Australia? The Fraser Government's Approach to Refugees." Australian Institute of International Affairs, [www.internationalaffairs.org.au/australian\\_outlook/welcome-to-australia-the-fraser-governments-approach-to-refugees/](http://www.internationalaffairs.org.au/australian_outlook/welcome-to-australia-the-fraser-governments-approach-to-refugees/), Accessed 9 June 2017.

<sup>11</sup> "Immigration Detention in Australia." Parliament of Australia, Commonwealth Parliament, 21 Mar. 2017, [www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/BN/2012-2013/Detention](http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BN/2012-2013/Detention), Accessed 10 June 2017.

<sup>12</sup> "ParlInfo - Immigration Detention in Australia." ParlInfo Search, [parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22library%2Fprs%2F1311498%22](http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22library%2Fprs%2F1311498%22), Accessed 9 June 2017.

government's Pacific Solution policy, which is effectively, still in place. As the Howard government wished to deter asylum seekers in 2001, it created offshore processing centres in Nauru and Manus Islands in Papua New Guinea for the 'boat people'<sup>13</sup>. Refugee advocates heavily criticised the policy as they believed that by forcibly detaining asylum seekers would be inimical for their mental health. In addition, Australian taxpayers have also had to pay "\$1 billion to process less than 1,700 asylum seekers in offshore locations", whilst \$100 million was spent on intercepting boat arrivals, \$369 million on building the Christmas Island detention centre, and \$5 million on transportation costs for moving asylum seekers offshore<sup>14</sup>. This clearly outlines how inadequate the policy was financially and ethically, issues that are still prevalent today.

The most harrowing aspect of the Pacific Solution is the deleterious effects it had psychologically and physically on its occupants. There has been "overwhelming evidence that detention has an independent, adverse effect on mental health"<sup>15</sup>, especially for those who are on offshore detention centres. By placing an already vulnerable group of people into a constricted space will only magnify dysfunctional thinking caused by stress, frustration and mental illnesses. This is elucidated by the fact that 85% of detainees suffer from anxiety, depression, post-traumatic stress and suicidal ideation<sup>16</sup>. The length of the period in which asylum seekers are detained also heavily affects their mental health, with rates of disorders extremely high after 18 months of detainment<sup>17</sup>. Furthermore, these offshore detention centres possess inadequate medical facilities, with many cases of people being airlifted to Australia to access medical treatment<sup>18</sup>. The children within these centres not only suffer these psychologically traumas, but also undergo physical and sexual assaults. The Nauru Files claim that there have been "seven reports of sexual assault of children, 59 reports of assault on children, 30 of self-harm involving children and 159 of threatened self-harm involving children" from 2013 to 2015<sup>19</sup>. Whilst currently the number of children held in Nauru has decreased drastically, the effects of these abuses will be long term<sup>20</sup>. Not only will this increase the time for children to integrate back into society, it has also caused a significant amount of children to rely on anti-depressants. The government's treatment of the people within these centres as objects, rather than humans, have caused an already vulnerable demographic to become recipients of systematic abuse, and agony.

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<sup>13</sup> Sawer, Marian, et al. *Australia: the State of Democracy*, Annandale, N.S.W., Federation Press, 2009.

<sup>14</sup> Bem, Kazimierz, et al, "a Price Too High: the Cost of Australia's Approach to Asylum Seekers ." Aug. 2007, [pandora.nla.gov.au/pan/76526/20070910-1523/www.oxfam.org.au/media/files/APriceTooHigh.pdf](http://pandora.nla.gov.au/pan/76526/20070910-1523/www.oxfam.org.au/media/files/APriceTooHigh.pdf), Accessed 9 June 2017.

<sup>15</sup> "Refugees and Asylum Seekers." Australian Psychological Society : Refugees and Asylum Seekers, [www.psychology.org.au/community/public-interest/refugees/](http://www.psychology.org.au/community/public-interest/refugees/), Accessed 10 June 2017.

<sup>16</sup> "THE EFFECT OF AUSTRALIA'S POLICY ON REFUGEE MENTAL HEALTH." AFRAM, [afam.amsa.org.au/the-effect-of-australias-policy-on-refugee-mental-health/](http://afam.amsa.org.au/the-effect-of-australias-policy-on-refugee-mental-health/), Accessed 9 June 2017.

<sup>17</sup> Green, Jannette, and Kathy Eagar, "The Health of People in Australian Immigration Detention Centres." *The Medical Journal of Australia*, vol. 192, no. 2, 18 Jan. 2010.

<sup>18</sup> Bem, Kazimierz, et al. "a Price Too High: the Cost of Australia's Approach to Asylum Seekers ." Aug. 2007, [pandora.nla.gov.au/pan/76526/20070910-1523/www.oxfam.org.au/media/files/APriceTooHigh.pdf](http://pandora.nla.gov.au/pan/76526/20070910-1523/www.oxfam.org.au/media/files/APriceTooHigh.pdf), Accessed 9 June 2017.

<sup>19</sup> Farrell, Paul, et al, "The Nauru Files: Cache of 2,000 Leaked Reports Reveal Scale of Abuse of Children in Australian Offshore Detention." *The Guardian*, Guardian News and Media, 10 Aug. 2016, [www.theguardian.com/australia-news/2016/aug/10/the-nauru-files-2000-leaked-reports-reveal-scale-of-abuse-of-children-in-australian-offshore-detention](http://www.theguardian.com/australia-news/2016/aug/10/the-nauru-files-2000-leaked-reports-reveal-scale-of-abuse-of-children-in-australian-offshore-detention), Accessed 9 June 2017.

<sup>20</sup> Australian Government, *Immigration Detention and Community Statistics Summary*, 2017.

Under the Turnbull government, all Manus Island and Nauru refugees are to be banned from entering Australia<sup>21</sup> while subsequently, they have also reached a one-off agreement with the USA that will resettle refugees on Manus Island and Nauru in the US<sup>22</sup>. The prohibition of asylum seekers will directly contradict with Australia's obligation to the Refugee Convention, in particular article 31. In an attempt to discourage asylum seekers and protect borders, the Australian government will also be refusing a fundamental human right<sup>23</sup>. Not only is this immoral, but it will only damage Australia's international reputation. It would suggest to the international community that not only is Australia discriminatory, but also reluctant to share the global burden of asylum seekers. In contrast to the government's actions, polls have shown that the majority of the Australian population believe that refugees "found to have a valid claim for protection should be brought to Australia"<sup>24</sup>. Despite the overwhelming support, there has also been a rising fear displayed towards the integration of refugees<sup>25</sup>. Regardless, this should be no surprise as this is the result of previous government's efforts in dehumanising asylum seekers and stigmatising them. In fact, the government should also aim to resolve the conflicts which are causing the influx of asylum seekers. Pushing them to another country, on the other hand, will only create a façade of peace and security. It is apparent that these methods will only provide short-term results that will not only damage the government's reputation, but also incorrectly inform the public on the true state of those seeking asylum.

Despite the complexity of the issue, there are ways in which asylum seekers can be treated with dignity and respect, without weakening the Australian border. The government must first abolish indefinite mandatory detention centres. Whilst detention centres for the purpose of health, identity and security checks is necessary, current detention centres possess incredibly slow refugee processing systems, with asylum seekers spending an average of 446 days in these detention centres<sup>26</sup>. This only leaves asylum seekers in a state of uncertainty and fear, which escalates the chances of developing mental health problems. In addition, the Manus Island riot in 2014 highlight the flaws within the system. One of the contributing factors to the riot was the fact that they "were concerned that they did not know what the future held for them and they were getting limited information"<sup>27</sup>. Furthermore, offshore detention

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<sup>21</sup> Conifer, Dan, "Refugees Face Lifetime Ban from Australia If They Come by Boat: PM." ABC News, 30 Oct. 2016, [www.abc.net.au/news/2016-10-30/manus-nauru-refugees-asylum-seekers-to-be-banned-turnbull-says/7978228](http://www.abc.net.au/news/2016-10-30/manus-nauru-refugees-asylum-seekers-to-be-banned-turnbull-says/7978228), Accessed 11 June 2017.

<sup>22</sup> Stephanie Anderson, Francis Keany, Papua New Guinea correspondent Eric Tlozek and Mandie Sami, "PM Unveils 'One-off' Refugee Resettlement Deal with US." ABC News, 13 Nov. 2016, [www.abc.net.au/news/2016-11-13/australia-announces-refugee-resettlement-deal-with-us/8021120](http://www.abc.net.au/news/2016-11-13/australia-announces-refugee-resettlement-deal-with-us/8021120), Accessed 10 June 2017.

<sup>23</sup> "Universal Declaration of Human Rights." United Nations, United Nations, [www.un.org/en/universal-declaration-human-rights/](http://www.un.org/en/universal-declaration-human-rights/), Accessed 9 June 2017.

<sup>24</sup> Doherty, Ben, "Majority of Australians Say Refugees Who Arrive by Boat Should Be Let in, Poll Finds." The Guardian, Guardian News and Media, 28 June 2016, [www.theguardian.com/australia-news/2016/jun/29/majority-of-australians-say-refugees-who-arrive-by-boat-should-be-let-in-poll-finds](http://www.theguardian.com/australia-news/2016/jun/29/majority-of-australians-say-refugees-who-arrive-by-boat-should-be-let-in-poll-finds), Accessed 11 June 2017.

<sup>25</sup> Tsiolkas, Christos, "Why Australia Hates Asylum Seekers." The Monthly, The Monthly, 19 Jan. 2017, [www.themonthly.com.au/issue/2013/september/1377957600/christos-tsiolkas/why-australia-hates-asylum-seekers](http://www.themonthly.com.au/issue/2013/september/1377957600/christos-tsiolkas/why-australia-hates-asylum-seekers), Accessed 10 June 2017.

<sup>26</sup> Sarah, Dillon, "Immigration Detention and Human Rights." Sarah, Dillon, 5 Jan. 2016, [www.humanrights.gov.au/our-work/asylum-seekers-and-refugees/projects/immigration-detention-and-human-rights](http://www.humanrights.gov.au/our-work/asylum-seekers-and-refugees/projects/immigration-detention-and-human-rights), Accessed 11 June 2017.

<sup>27</sup> Claire Higgins Research Associate, Andrew & Renata Kaldor Centre for International Refugee Law, UNSW, "Slow Refugee Processing Creates Fear and Uncertainty on Manus Island." The Conversation, 16 June 2017,

centres should be closed due to the difficulty and amount of resources required to regulate and sustain them. Community detention, on the other hand, provides asylum seekers with more freedom and allows them to experience some semblance of normal life. These centres provide asylum seekers with residential, health and welfare services as well as intensive casework support, a system utilised by other countries such as Canada<sup>28</sup>. Additionally, the government should also increase its intake of asylum seekers. While countries that are less financially able than Australia, such as Turkey, have accepted 1.8 million refugees, Australia accepts an intake of 19,000 refugees per year<sup>29</sup>. Australia should increase its intake to 50,000, which will only be a quarter of its average intake of migrants<sup>30</sup>. This will be beneficial to the Australian community, as young refugees are more likely to seek higher education, hence providing the community with an able and diverse workforce<sup>31</sup>. The integration of more asylum seekers will also destroy the stereotypes held by many Australians towards them and create a strong, multicultural society. Ultimately, these alternatives will allow for a more fair and respectable approach to asylum seekers, whilst retaining border security.

If the Australian government wishes to resolve the controversy surrounding their treatment around asylum seekers, it is crucial that policy changes are made. Despite Australia's attempts at maintaining border security, this has only created short term solutions with detrimental effects not only towards Australia's international reputation and the economy, but also to the people involved as well. However, through the removal of offshore detention centres, it will restore Australia's international integrity, provide asylum seekers with better facilities and curb spending costs that place a burden on Australian taxpayers. The implementation of a fairer policy will also dismantle some of the public's misconstrued views of refugees and create a far more accepting and cohesive society. Fundamentally, it is only through the government's recognition of its international responsibilities and a change of attitude, which can finally resolve the issue of asylum seekers and refugees.

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<sup>28</sup> "Community Arrangements for Asylum Seekers, Refugees and Stateless Persons." Admin, 16 Dec. 2012, [www.humanrights.gov.au/publications/community-arrangements-asylum-seekers-refugees-and-stateless-persons#Heading225](http://www.humanrights.gov.au/publications/community-arrangements-asylum-seekers-refugees-and-stateless-persons#Heading225), Accessed 11 June 2017.

<sup>29</sup> "UNHCR Global Trends 2015 – How Australia Compares with the World." Refugee Council of Australia, 26 Sept. 2016, [www.refugeecouncil.org.au/getfacts/statistics/unchr2015/](http://www.refugeecouncil.org.au/getfacts/statistics/unchr2015/), Accessed 11 June 2017.

<sup>30</sup> "Main Features - Summary." Australian Bureau of Statistics, Australian Government, [www.abs.gov.au/ausstats/abs@.nsf/mf/3412.0](http://www.abs.gov.au/ausstats/abs@.nsf/mf/3412.0), Accessed 12 June 2017.

<sup>31</sup> "Education and Training." Refugee Council of Australia, 4 July 2016, [www.refugeecouncil.org.au/getfacts/settlement/learninghere/education-and-training/](http://www.refugeecouncil.org.au/getfacts/settlement/learninghere/education-and-training/), Accessed 12 June 2017.

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