

POSITION STATEMENT

Asylum Seeker Children and Young People's Health

BACKGROUND

For the purposes of this Position Statement a refugee is a person who has been forced to leave their country due to a well-founded fear of persecution for reasons of race, religion, nationality, political opinion, or membership of a particular social group, and who is unable to return to their country. People seeking asylum – an 'asylum seeker' is a person who has applied for refugee status and is awaiting a decision on their application.

Children and young people need age-appropriate and specialised healthcare, access to education and developmentally appropriate play, family support and a safe environment to reach their full potential. Children seeking asylum in Australia are entitled to have the same rights as any other Australian child.

Children and young people seeking asylum arrive in Australia as unaccompanied children/young people or as part of a family of asylum seekers. Australian Government policy is for mandatory offshore detention for asylum seeker children and young people and there is no limit on the time that they may be detained. There is a growing body of evidence of the effect of detention on children and young people's health status.

What is known is that children have often been exposed to violence and trauma in their country of origin and during their journey to Australia, including witnessing and/or experiencing sexual and physical violence. These events affect physical and mental health, with a direct link between traumatic experiences and conditions such as post-traumatic stress disorder, suicide, depression and behavioural problems. Furthermore, there is a strong association between immigration detention and poor child mental health. Being held in detention contributes to depression and impacts on children's development resulting in speech and language delay and regressive behaviours such as bedwetting, biting and head banging. Frequent relocation from centre to centre also exacerbates mental health problems in children. Additional stressors including family separation, parental hopelessness, depression and anxiety, uncertainty, and exposure to traumatic events within detention are compounded by the lack of access to education and activities needed for healthy childhood development.

Unaccompanied minors are entitled to special protection and assistance under the United Nations Convention on the Rights of the Child. Unaccompanied minors in immigration detention, particularly those held in offshore centres, are at risk of poor physical and psychological health wellbeing.

Services that meet the health needs of children and young people are not routinely available in immigration detention in Australia. This situation is magnified in offshore facilities where there are additional health risks, such as infectious and tropical diseases; no immediate access to tertiary health care; inadequate antenatal care; and a lack of paediatric-trained clinicians leading to inadequate management of acute and chronic childhood illnesses, developmental delays and socio-emotional disorders.

THE AUSTRALIAN COLLEGE OF CHILDREN & YOUNG PEOPLE'S NURSES

BELIEVES THAT:

- Early childhood experiences, particularly during a child's first 1000 days, impact on an individual's lifelong emotional, psychological and social development.



the Australian College
of Mental Health Nurses Inc.

Endorsed April 2015

Page 1 of 4

- All children and young persons have the fundamental right to be supported and protected so they can grow and thrive, not merely survive.
- All children and young persons should have access to age-appropriate preventative, early intervention and treatment services to maintain their health and wellbeing.
- No child or young person should be discriminated against due to their refugee status, race, religion, or for social or political reasons.
- Children and young people should be provided with equitable access to care according to their unique needs.
- All decisions related to the care of children and young people should be made in partnership with the child and family and include the voice of the child.
- Maintaining children and young persons in the family unit, with appropriate support to provide a safe and supportive environment in which children and young people can thrive, is essential for their social, psychological and cultural wellbeing and development
- Children, young people and their families should have their asylum application assessed in the shortest possible time frame to decrease the risk of the cumulative trauma affecting their physical, social and psychological wellbeing.

RECOMMENDS THAT NURSES:

- Advocate for families to always stay together and for parents/carers to maintain responsibility for their child's daily care and be involved in all decision making regarding their child.
- Ensure that parents/carers receive care and support for their own physical and psychological health needs so they can help their children thrive.
- Ensure when caring for unaccompanied minors seeking asylum that the nurse has knowledge of the assigned independent legal guardian who ensures their ongoing health and wellbeing.
- Advocate for women who are pregnant or post-partum to be given access to comprehensive ante-natal/post-natal care.
- Advocate for children, young people and their families to have access to facilities that ensure their ongoing health and wellbeing. This includes clean water supply for drinking and hygiene; protection from the elements; privacy; a safe sleeping place; access to food and meal preparation areas; culturally appropriate food
- Promote an environment that supports children and young people to have access to a range of age-appropriate play and leisure activities and for school age children to have access to full time education.
- Advocate for children and young people to receive a comprehensive health assessment and follow-up care including nutritional assessment; immunisation; dental health; developmental screening and identification of acute or chronic health conditions. Health care provision needs to be appropriate and include mental health services for children and young people who have witnessed trauma and or violence.
- Only use professional interpreters for all interactions with healthcare professionals.



RESOLVES TO:

- Seek opportunities to promote positive health and education environments for asylum seeker children and young people.
- Advocate for children and young people to be maintained in family groups whilst waiting assessment.
- Seek opportunity to influence Government policy to ensure the rights of children and young people who are asylum seekers are met according to the United Nations Convention on the Rights of the Child.

REFERENCES

1. United Nations General Assembly. Convention relating to the status of refugees, 28 July 1951, United Nations Treaty Series, vol. 189
2. Zwi, K., et al., *Towards better health for refugee children and young people in Australia and New Zealand: The Royal Australasian College of Physicians perspective*. Journal of Paediatrics and Child Health, 2007. **43**(7-8): p. 522-526.
3. Australian Human Rights Commission. *Inquiry team visits distressed children on Christmas Island 2014*; Available from: <http://www.humanrights.gov.au/children-immigration-detention>.
4. <https://humanrights.gov.au/our-work/4-overview-children-detention>
5. Australian Medical Association. *Health Care of Asylum Seekers and Refugees – 2011*. Revised 2015; Available from: <https://ama.com.au/position-statement/health-care-asylum-seekers-and-refugees-2011-revised-2015>
6. Louise Newman BA MBBS PhD (2013) Seeking Asylum—Trauma, Mental Health, and Human Rights: An Australian Perspective, Journal of Trauma & Dissociation, 14:2, 213-223, DOI: [10.1080/15299732.2013.724342](https://doi.org/10.1080/15299732.2013.724342)
7. Newman, L. and A. Harris. *Refugees and asylum seekers: supporting recovery from trauma*.
8. Bronstein, I. and P. Montgomery, *Psychological distress in refugee children: a systematic review*. Clin Child Fam Psychol Rev, 2011. **14**(1): p. 44-56.
9. Sanchez-Cao, E., Tami Kramer, and M. Hodes. "Psychological distress and mental health service contact of unaccompanied asylum-seeking children." *Child: care, health and development* 39.5 (2013): 651-659.
10. Dudley, M., et al., *Children and young people in immigration detention*. Curr Opin Psychiatry, 2012. **25**(4): p. 285-92.
11. Sanchez-Cao, E., Tami Kramer, and M. Hodes. "Psychological distress and mental health service contact of unaccompanied asylum-seeking children." *Child: care, health and development* 39.5 (2013): 651-659.
12. Meares, S., *Visit to Christmas Island Immigration Detention Facilities March 1-8th 2014: Report for AHRC*. Available from: <https://www.humanrights.gov.au/our-work/asylum-seekers-and-refugees/national-inquiry-children-immigration-detention-2014/expert>. 2014.
13. Goosen, S., K. Stronks, and A.E. Kunst, *Frequent relocations between asylum-seeker centers are associated with mental distress in asylum-seeking children: a longitudinal medical record study*. International Journal Of Epidemiology, 2014. **43**(1): p. 94-104.
14. Laughland, O., *Asylum seekers fail in legal bid to stop transfer to Western Australia*, in *The Guardian*. 2014.



15. Meares, S., *Visit to Christmas Island Immigration Detention Facilities March 1-8th 2014: Report for AHRC*. Available from: <https://www.humanrights.gov.au/our-work/asylum-seekers-and-refugees/national-inquiry-children-immigration-detention-2014/expert>. 2014.
16. Commission, A.H.R. *Immigration detention on Christmas Island: Observations from visit to immigration detention facilities on Christmas Island*. 2012; Available from: <http://www.humanrights.gov.au/publications/immigration-detention-christmas-island-observations-visit-immigration-detention>.
17. Wiegiersma, P.A., A.A. Stellinga-Boelen, and S.A. Reijneveld, *Psychosocial problems in asylum seekers' children: the parent, child, and teacher perspective using the strengths and difficulties questionnaire*. Journal of Nervous & Mental Disease, 2011. **199**(2): p. 85-90.
18. UN General Assembly. *Convention on the Rights of the Child*. 20 November 1989; Available from: <http://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf>.
19. Peer, S., C. deCosta, and E. Adams. *Damaging children*. 2013 [cited 2014 9th April]; Available from: <https://thestringer.com.au/damaging-children-5941>
20. Christmas Island Medical Officers, *Letter of concern: International Health and Medical Services for Review by Executive of International Health and Medical Services*, 2013.
21. Australian Human Rights Commission: Lives on hold: Refugees and asylum seekers in the "Legacy caseload" <https://humanrights.gov.au/our-work/asylum-seekers-and-refugees/publications/lives-hold-refugees-and-asylum-seekers-legacy>
22. Asylum seekers and refugee guide – has Australia human rights obligations <https://humanrights.gov.au/our-work/asylum-seekers-and-refugees/asylum-seekers-and-refugees-guide#rights>
23. Convention on the rights of the Child: <http://www.austlii.edu.au/au/other/dfat/treaties/1991/4.html>

