



VIEWPOINT

Stories from unaccompanied children in immigration detention: A composite account

Karen Zwi¹ and Sarah Mares²

¹Department of Psychiatry, University of New South Wales, Sydney, New South Wales, and ²Centre for Child Development and Education, Menzies School of Health Research, Darwin, Northern Territory, Australia

Background

In March 2014 we spent a week on Christmas Island as medical consultants to the Australian Human Rights Commission (AHRC) Inquiry into the Impact of Immigration Detention on Children. The visit involved three Human Rights Commission staff as well as the authors, paediatrician Karen Zwi and child psychiatrist Sarah Mares, representing the Royal Australasian College of Physicians and the Royal Australian and New Zealand College of Psychiatrists respectively. Using interpreters, we spoke to over 40 unaccompanied children and service providers to ascertain processes and policies and to give feedback about detainees of immediate concern. We would like to honour the voices of the detainees; we have used their exact words where possible. In a separate paper, we focus on the families and children detained in immigration facilities on Christmas Island.¹

Unaccompanied children are children under the age of 18 years who are seeking asylum from threatened or experienced danger. They arrive unaccompanied by a parent, legal guardian or adult relative over the age of 21 years. On arrival to Australia, unaccompanied children by law become the legal wards of the Department of Immigration and Border Protection (DIBP). The role of a legal guardian is commonly regarded internationally² as one who 'stands *in loco parentis* to the child',³ which includes making decisions regarding the best interests of the child and providing for the child's emotional and material needs. In Australia, the Minister's role tends to be nominal without practical assistance offered to the children, which has been described as leaving them not only unaccompanied but also unrepresented.⁴ A DIBP officer is appointed locally as the children's 'Delegated Guardian' as discussed below.

Most unaccompanied children leave their homes as a desperate measure in search of protection, education and employment, and to contribute to the welfare of their family.⁵ They have often embarked on dangerous journeys, experienced war, the death of family members, persecution, violence, sexual abuse, escape from forced recruitment into armed organisations and forced domestic labour.⁵ These experiences occur during critical developmental periods, thus placing them at risk of mental health problems.⁵ Research is limited to a few cross-sectional or on-arrival studies, which have shown that around 25–50% have emotional and behavioural problems, anxiety,

depression and post-traumatic stress disorder (PTSD), at higher rates than in accompanied asylum seeker children.^{5–7} However, consistent with other studies on refugee children, the majority of unaccompanied children score below clinical cut-offs for psychiatric disorder, thus displaying a marked resilience.⁵

The severity of psychiatric symptoms is likely to increase with more traumatic events experienced prior to forced migration, demonstrating the cumulative impact on well-being of traumatic exposure.^{5–8} Children exposed to adversity following migration, particularly those placed in prolonged detention, are more severely affected.⁸ Studies show increased symptoms for those exposed to rioting, fires, violence and self-harm attempts by parents or others in detention. Rapid resolution of asylum claims reduces the duration of uncertainty and associated distress for children, whereas insecure asylum status is associated with a range of psychological problems that can have long-lasting effects.⁸ Prompt access to services catering for physical and psychological health is important, as are long-term stability of residence and socially supportive environments.⁸ It is also known that PTSD symptoms are increased in lower-support living arrangements suggesting that foster family living and high support may improve outcomes.⁷

The children and young people

We met with most of the 40 unaccompanied boys, who were aged between 14 and 17 years old, and several girls who were 17 years old on arrival and in detention on Christmas Island. We also interviewed several 18-year-olds living in adult quarters, who had been 17 years old on arrival. Most had been in detention for 6–8 months. We interviewed them with interpreters in language groups or individually. They were polite and often tearful as they spoke.

The unaccompanied children came predominantly from Afghanistan, Somalia, Iran, Burma and Sri Lanka. In most cases their extended families had pooled resources to send them away to safety. Some were orphaned, had been threatened or kidnapped, or their brothers or fathers killed. Almost all had witnessed traumatic events in their home countries such as rapes, relatives' dead and mutilated bodies or their villages burnt. The girls described the added threat of sexual assault and forced marriage to insurgent groups, which invariably also meant an end to their education. Their journeys were typically over a period of weeks to months, through India, Thailand or Malaysia, eventually boarding boats in Indonesia (Fig. 1).

These children all arrived after 19 July 2013, making them ineligible for resettlement in Australia. They were mostly in a

Correspondence: Assoc Prof Karen Zwi, Department of Community Child Health, UNSW, High St, Kensington, NSW 2052, Australia. Fax: +612 9382 8188; email: karen.zwi@health.nsw.gov.au

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Fig. 1 This was written by an unaccompanied child who was 17 years old on arrival and had been in detention for close to 8 months. Nationality and other details have been redacted to protect identity.

"I am a young girl who face hardest moment in life. I was born in where horror was basic need in our everyday life... my parents decide to give me to someone when I was five years old. My mother, she didn't raise me up as childhood. I decided to go away and never come back...I didn't know other place to go but...I am fighting for my dreams. I think: 'I have to do something about this life'. I knew my education is the key of our lives but bad luck was there to stop the girls from learning. were there to disturb me and force my marriage. I refused and ran away to.... I advise myself no one is too old to learn. If I missed the chance to learn I didn't want my siblings to suffer the same. I was still thinking I would be able to help my family then in early 2013.....I talk to my father and I told him I want to go somewhere I can be safe and help them....then we agreed and I leave my homeland and my loved ones to help them and to have a better life..."

Fig. 2 Unaccompanied 17-year-old child detained on Christmas Island for 8 months.

"Detention isn't good for all children and adult – especially unaccompanied minors like me with no parents. I feel so sad without them. I leave them in horrible country and every time I'm so worried about them. Though I'm safe - I'm more stress than before because my family are in danger. And I don't have even a little hope... and I don't know where is my future?"

camp reserved for 'unaccompanied minors/UAMs', (the DIBP term for unaccompanied children). Although designated an Alternative Place of Detention, the camp is surrounded by barbed wire fences, security gates and cameras, resembling a prison.

Guardianship

When asked about guardianship, only one boy correctly identified the Minister for Immigration and Border Protection as his legal guardian.⁴ All the others nominated staff from Maximus, a non-government organisation contracted by DIBP to provide activities for unaccompanied children and to act as Independent Observers at age determination and other interviews. The children asked us: 'Who can I speak to?'; 'Who looks after me?'.
The Minister delegates his responsibility as legal guardian to the Director of Detention Operations on the Island, a busy job responsible among other things for managing accommodation and transfers of detainees. The 'Delegated Guardian' (DG) acknowledged the 'dual role' but denied any conflict. The DG spoke of being bound by the policy, consulting the Minister if children want to return home, providing advice regarding transfer of children offshore and dealing with routine issues such as medical consents, bullying and welfare. The DG did express concerns about a lack of education and meaningful activities and acknowledged that the children were terrified of transfer to Manus Island. The DG met the children as a group once or twice a week and would speak to them individually on request but did not see the role as one of personal support or advocacy.

Daily life in detention

The early post-arrival period was often described as a period of initial relief. They had survived a dangerous journey, 'the guns had stopped', they felt reasonably safe from physical danger and they were able to contact their families. However, after 1–3 months in detention and repeated messages from DIBP that

'you will never be resettled in Australia', they describe mounting anxiety regarding the uncertainty of where they might be sent for processing of their asylum claims and for resettlement, as well as loneliness and boredom.

Many children described their experience in detention as worse than adversity before migration, and this confirms previous reports on the impact of prolonged detention.^{9,10}

Detention was described as: 'Torture. Torture. Torture'; 'Depression. Mental hardship.'; 'Prison. I hate this camp'; 'No hope'. We asked if there was anything good about being in detention. 'No nothing. All our friends are taken away to Manus and Nauru. We are waiting for big plastic bag to throw at us [to pack their things]. We are told the place is hell' (Fig. 2).

The age determination process

The arrival of unaccompanied asylum seekers under 18 years old obliges the Australian government to confer certain protections. Being 18 years or over means transfer to the adult male camp. Several weeks after arrival, some of the boys were called to individual 'age determination' interviews. This interview was described as the most frightening experience some had had to date. Two DIBP Officers, an interpreter and a 'Maximus Officer' accompanied the boy. Maximus has no advocacy role, so their capacity to act in the child's best interests is limited. The Delegated Guardian is not involved in the age determination interviews. One boy described being asked so many questions: 'I was confused, my mind felt tricked'. Most of these interviews took an hour but some as long as 3.5 h. The interviewers took a short break before calling each boy back in to sign a form that reportedly stated, 'You are under/over 18'. In the words of a 16-year-old boy: 'He (the observer) didn't do anything to help me. It was like he was watching TV'.

A 17-year-old boy detained in the adult detention centre described the interview as 'the worst thing; I will never forget'. He said the Independent Observer 'didn't say anything but was

“There is nothing to do here, only eating, sleeping, English classes”.
 “Even though we go to English class sometimes, I can’t concentrate or remember”.
 “I cry all the time. I can’t sleep. I cry all the time in my room. I’m afraid of what’s going to happen next”.
 “I would rather die than go to Nauru or Manus”.
 “Of all the bad things that have already happened now, I feel I wish I died at sea instead of then dying slowly here.”

Fig. 3 Comments from unaccompanied boys.

upset afterwards’. He was asked to sign a form which he did not understand and was immediately transferred to the adult detention centre where he had been detained for several months. He said he had been very afraid of the unfamiliar adult men there. When asked why he did not complain when his age was wrongly determined, he said, ‘I had already told them I am 17 and showed them the paper’. Several children told us they had been wrongly ‘age determined’ to be adults and sent offshore but returned to Christmas Island when found to be under 18 years of age.

‘Ageing out’ and transfers

Children ‘age determined’ to be 17 years old were given a birth date of December 31 and thus all deemed to turn 18 years on 31 December 2013. This ‘ageing out’, (the DIBP term for turning 18) is associated with transfer to the adult camp or offshore, separation from friends and the end to any education. Transfer to adult detention occurs suddenly; several young men had been transferred in the early hours of New Year’s Day. Maximus staff had introduced an 18th birthday party celebration, explaining that ‘in Australia turning 18 years is a time of celebration’. This seemed incongruous given the implications for these boys of entering adulthood.

The children described collective fear of transfer to Manus Island or Nauru, which they associate with the February 2014 death in detention of Reza Berati, and dehumanising, protracted detention in tents. They reported hearing the 4am ‘extractions’ in neighbouring rooms: friends being told to pack their things before being taken for transfer offshore that day. The youngsters described this as ‘cruel’ as they ‘couldn’t say goodbye’ to people who had become firm friends on their journeys or in detention. They did keep in touch through Facebook (detainees have internet access for a limited time each day). This reinforced their fears of the harsh conditions offshore.

Education and other activities

The children had very limited access to structured education even though their most consistent plea is the opportunity to go to school.

‘This is our time, when we are young’.

‘I wanted to be a doctor’.

The children had attended a camp classroom but only for a few hours a day. For many this had been for a total of 2 weeks in the last 8 months. School was described as ‘mostly drawing, watching videos’ and ‘baby activities’. One said ‘school in Aus-

tralia is worse than in Somalia’. There are daily 90-min English classes, but some said they are ‘too tired’ to attend.

Most had been on one or two outings during the 8 months and had access to the Recreation Centre each week to play sport. There are phones in the camp, and they can earn ‘points’ with which to buy phone credit, used to maintain contact with family back home.

Mental health and well-being

Many children reported symptoms consistent with major depression, PTSD and/or generalised anxiety disorder. Many were tearful and a few appeared psychotic with confused or bizarre mood or behaviour. There was an intense shared anxiety about transfer to the adult compound or offshore and a sense of loss about peers who have been ‘extracted’ and transferred. Some children disclosed suicidal ideation. Signs on the fences in their compound say: ‘Keep Calm and Stay Strong’; ‘Keep Calm and Be Yourself’ (Fig. 3).

Most children left their home countries as the selected, resourceful older child given the mission of ‘saving their families’, or sending money back home, but they describe themselves as ‘imprisoned’, ‘in hell’ and ‘unable to do anything’ for their families. Many described worries about their families at home and high levels of distress when families cannot be contacted due to the family’s fleeing or relocation. News items about bombing or war in their country of origin were distressing. Several had their worst nightmares realised with the death of family members during their time in detention. Some reported pressure from families back home, not understanding their detention, saying: ‘if you have money to phone, why aren’t you sending us money for food?’ We were told that DIBP do not routinely contact families of unaccompanied children to inform them of their children’s whereabouts and processing of asylum claims.

Services and support

Mental health services are provided through International Health and Medical Services, but several children described unwillingness to talk about their experiences with the staff. Although one boy said, ‘it really helps, even if you can’t do something about it, just to be able to talk about it’, others told of counsellors saying, ‘Stop – there’s nothing I can do about that’ when they talked of their experiences. The young people were acutely aware that their mental health is at risk in detention and spoke of trying to ‘stop ourselves from going mad’ or becoming suicidal.

Previously all unaccompanied children had been automatically referred to the local torture and trauma service, which offered group and individual interventions, but this was no longer occurring.

When asked why they thought they were in detention, one responded: 'The policy changed. We are here until they decide about us.' No child had spoken to a lawyer or was aware they had a right to do so. DIBP is required to facilitate legal advice, which is done through the provision of a telephone directory and Internet access. The AHRC is of the view that all asylum seekers should be provided with the contact details of centres providing free legal services.

Many children said speaking to us was the first time anyone had listened to their stories. The current policy of offshore processing implies that no refugee processing occurs in Australia, and thus no asylum seeker is asked their reason for seeking asylum or given the opportunity to explain their arrival or have their claim processed.

None of the children expressed anger about the individual staff saying they were 'just doing their jobs' and they were quick to point out who had been kind. They took great care of each other, including acting as interpreter or support person for one another during our interviews.

When asked about her hopes for the future, one answered: 'I want to be a journalist and interview Tony Abbott (Australia's current Prime Minister) and then put him on a boat to Somalia'.

Conclusions

Detaining unaccompanied children indefinitely breaches their human rights. It compounds their prior experiences of adversity, trauma and loss of family, and their current isolation. Post-arrival detention has been shown to worsen mental health and future capacity, and the children we met confirmed this as their experience. Issues of particular concern are the lack of access to meaningful activity and education; guardianship arrangements that involve a conflict of interest; no processing of asylum claims that compounds the extreme uncertainty about their immediate and long-term futures; and a lack of opportunities to fulfil their potential. The majority of children display remarkable resilience, determination and a desire to contribute. They have not yet given up hope. If provided with protection, support and opportunities, they have the opportunity to be productive adults from whom we can learn a great deal (Fig. 4).

Acknowledgement

We acknowledge the contribution of the many unaccompanied children who gave us permission to share their stories and experiences and of the AHRC in making this visit and the collection of this information possible.

This paper, as well as other recent publications in this journal,^{11,12} were written before the release of the Australian Human Rights Commission (AHRC) report 'The Forgotten Children'.¹³ They add a personal flavour to the AHRC facts and figures and corroborate the AHRC report. The detention of

Born Into War

*Trying to survive a home
of endless war
I witness poor people die.
They have no heart,
the cruel people
who kill the poor.
Thoughts disappear from my mind-
I don't know why they have the power to help others
but they do nothing
but make many mothers widows.
Do they realise they destroyed our homes
and many souls were gone?
I pray to God to end the pain
and the tears
in the eyes
of children
who have lost
both their parents.
As days went by without peace
we fled
like birds
we spread
across the world
like the wind.
Our names were changed
into refugees.
They used to be written in letters
but now they are numbers.
I was in darkness.
I came to a brighter place
with all my dreams.
But here I am in detention.
My future is unknown.*

Fig. 4 Poem submitted to the AHRC Inquiry online site. Written by unaccompanied child on Christmas Island for 8 months.

families and children on Christmas Island ceased in December 2014, and the facilities described were closed; however, families and children remain in closed detention in Australian mainland centres and on Nauru.

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Budgerigar by Lulu Papworth (9) from Operation Art 2014.