

centre for multicultural youth issues



Centre for Multicultural Youth Issues (CMYI)

Submission to the Human
Rights & Equal Opportunities
Commission (HREOC):

**National Inquiry into Children
in Immigration Detention**

May 2002

Setting the Agenda on Multicultural Youth Issues

1. Introduction.

“The child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding”.

Preamble, UN Convention on the Rights of the Child.

“The social and mental well-being of all refugees, but particularly of refugee children, can be most effectively assured by the quick re-establishment of normal community life”.

UNHCR Guidelines on Protection and Care (1994), ch. 2.

This document represents the submission made by the *Centre for Multicultural Youth Issues (CMYI)* to the *Human Rights and Equal Opportunity Commission (HREOC)*, *National Inquiry into Children in Immigration Detention*. As a peak body liaising with the government and non-government sectors, in partnership with refugee and newly arrived young people, the organisation welcomes the opportunity to contribute to this important inquiry.

It should also be noted however, that the organisation’s program and advocacy activities focus primarily on working with refugee and newly arrived young people, their families and their communities during the settlement process and beyond. At this point in time, CMYI does not work directly with asylum seekers while in detention. Rather, it is in the post-release situation that refugees may come into contact with our service. It is on this basis that CMYI makes the present submission to the *Inquiry*.

The observations recorded in this submission represent the views of both the staff and management of the organisation and are based on more than 12 years experience of working with refugee and newly arrived young people, their families and their communities living in the state of Victoria.

The CMYI submission is divided into four parts:

1. Introduction;
2. Refugee Settlement Context: Refugee and Newly arrived young people in Victoria;
3. Core Issues Impacting on Refugee and Newly arrived young people in the pre-and post-detention context;
4. Conclusion.

1.1 Terms of Reference.

Reflecting the experience and focus of the organisation in working with refugee and newly arrived young people, the CMYI submission will address two of the Terms of Reference published for the *Inquiry*. The Terms of Reference most relevant to the CMYI submission are:

- *Term of Reference 4:* The impact of detention on the well-being and healthy development of children including their long-term development;
- *Term of Reference 6:* The additional measures and safeguards which may be required to protect the human rights and best interests of child asylum seekers and refugees residing in the community after a period of detention.

It should also be noted that while the *HREOC National Inquiry into Children in Immigration Detention* defines a child as any person under the age of 18, the primary age range for the target group of young people CMYI works with is 12 to 25.

1.2 The Organisation: Centre for Multicultural Youth Issues (CMYI).

The *Centre for Multicultural Youth Issues* (CMYI) is a statewide community based organisation that aims to strengthen and build innovative partnerships between young people, support services and the community to enhance life opportunities for young people from culturally and linguistically diverse (CLD) backgrounds living in Victoria. The centre has a priority focus on young people from refugee and newly arrived communities.

The communities which CMYI work with reflect the current and historical focus of the *DIMIA Humanitarian Program* intake. Key groups include refugees and newly arrived migrants from Afghanistan, Iraq, Iran, Horn of Africa (Somalia, Eritrea and Ethiopia), Sudan, Burma, Former Yugoslavia, Cambodia and Vietnam.

CMYI represents a range of individuals and organisations from CLD communities, government and non-government organisations with a commitment to improving the social and personal status of young people from CLD backgrounds.

Originally established in 1988, CMYI operates within an inclusive framework involving youth agencies, migrant and refugee communities, government and non-government organisations. Key service areas include:

- *Support to the Sector*: support provided to youth groups/organisations, newly arrived migrant and refugee communities and service providers;
- *Liaison with Government and NGO's*: communicating with government and non-government sectors on trends and issues impacting on CLD young people;
- *Policy Development*: contributing to state and federal government policies on newly arrived migrant and refugee young people;
- *Cross Cultural Resources*: developing cross cultural resources for the government and non-government sectors;
- *Managing Programs*: managing and providing innovative programs targeting newly arrived migrant and refugee young people;
- *Research*: undertaking research on multicultural youth issues;
- *Information Dispersal*: undertaking community education and sector support on cross cultural issues affecting young people from newly arrived migrant and refugee backgrounds.

1.3 Relevant CMYI Programs.

While CMYI undertakes advocacy and consultation work in partnership with refugee and newly young people, their families and their communities, it is primarily through CMYI's *Program* activities, that refugees formerly held in detention come

into contact with our organisation as clients, community contacts or liaisons. Employing five client service staff, the two principal *Program* activities are:

- *Refugee Youth Pathways Program*

This program provides information and support services to ‘at risk’ refugee and newly arrived young people aged 15 to 21 in the Northern, Western and South-Eastern regions of metropolitan Melbourne. The program is designed to enable young people to access pathways to education, training and employment opportunities.

- *Reconnect Young Refugee’s Program*

This program provides an early intervention service for refugee young people aged 12 to 18 who have recently left home or are at risk of homelessness. Combining service provision with community development strategies, the program aims to improve the level of engagement of young people with family, work, education, training and the community. The program incorporates action research with family centred approaches and culturally appropriate service delivery. The program is based in the Northern and South-Eastern regions of metropolitan Melbourne.

2. Refugee and Newly Arrived Young people in Victoria.

The section which follows provides some contextual information about the refugee young people with which the organisation works.

2.1 CLD Young People in Victoria: Demographic Overview.

The population of Victoria consists of more than 25% of people from a CLD background. Young people between 16 and 24 years of age constitute almost one third of the total settler intake under Australia's Humanitarian Migration Program since 1996. Victoria settles almost one third of Australia's humanitarian youth settler arrivals. The top source countries for humanitarian youth arrivals in Victoria in 2000 were the Former Yugoslavia, Somalia, Iraq, Bosnia, Sri Lanka, Sudan, Cambodia, Croatia, Eritrea and Afghanistan. From the period 1996 – 1999 there was an increase in Victorian humanitarian youth settler arrivals, from 2, 079 in 1996 – 1998 up to 1,300 new arrivals in 1999. (DIMA Settlement Database 2001).

According to the 1996 Census, 9% of Australians aged between 12 and 25 were born in a non-English speaking country. More than 15% of young Australians reported speaking a language other than English at home. The main source of countries for young people born overseas and living in Victoria are Vietnam, UK, New Zealand, Malaysia, Hong Kong and Indonesia (including East Timor). The main languages other than English that young Victorians spoke at home were Italian, Greek, Chinese languages, Vietnamese, Arabic and Macedonian. While these figures provide a useful snapshot there are some deficiencies in that data on country of birth does not accurately reflect cultural identity. Another area of concern is the failure to account for first generation CLD young people.

There have been also been recent significant shifts in migration patterns to Victoria. While the late 1980's and early 1990's was characterised by large numbers of humanitarian youth arrivals from Cambodia, Laos and Vietnam, including a significant proportion of unaccompanied minors, the 1990's were characterised by a shift in the migration program to settling more migrants from Europe and Africa. As migration patterns shift and change, specific issues arise according to the needs of the particular group of newly arrived young people. Common social policy issues remain constant however for government and service agencies seeking to enhance the life opportunities of newly arrived and

refugee young people. These include the issues of homelessness, education, social health, employment and training.

2.2 Difference, Values and Migration.

The years from age 12 to 25 are a significant period in a young person's development and progression towards adult life incorporating greater independence and responsibilities at a time of dramatic emotional and physical change. For CLD young people, particularly those with a refugee background or who are newly arrived, the impact of these changes is even more significant. Issues of particular relevance for CLD young people include family breakdown as a result of war and famine during the migration process, displacement from home country and culture, and inter-generational conflict arising from life in a country with often markedly different (Western) values.

3. Core Issues Impacting on Refugee young people.

“Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status”.

United Nations Convention on the Rights of the Child, Article 2.1

The primary focus of the following section is to highlight key issues impacting on refugee and newly arrived young people prior to arrival in Australia and in the post-detention release situation. Again, this information should be regarded as contextual, the main aim of which is place issues associated with settlement in Australia and the impacts of the current mandatory detention regime within the same frame.

3.1 Impacts on Education and Schooling.

There are a number of issues (historical and contemporary) which arise for refugee and newly arrived young people in the context of education and schooling. These include:

- disrupted learning or little previous education as a result of years spent in flight and transition (i.e., refugee camps);
- disrupted learning following periods in Australian detention centres;
- lack of time in language centres following release from detention or in the resettlement process resulting in low level of English language proficiency;
- lack of supported transition from English Language Centres to mainstream schools;
- schools struggling to respond to the specific issues associated with refugee and newly arrived young people;
- issues around discipline and behaviour in school arising from the refugee history of young people and their experience of resettlement in Australia which has often contributed to a sense of alienation (particularly for those who have also experienced mandatory detention);

- age differentials between young people from refugee and new arrival backgrounds as compared to Australian-born young people due to a lack of language proficiency and the impact of disrupted education;
- high expectations on the part of families in relation to young people completing VCE (Year 12) without adequate support available;
- a lack of understanding among parents in relation available alternatives to VCE;
- language issues;
- isolation and disconnectedness in mainstream schools.

3.2 Impacts on Training and Employment.

There are a number of issues relating to training and employment which impact on refugee and newly arrived young people. These include:

- lack of options/pathways for young people from refugee backgrounds particularly in relation to support for young people in gaining part time work to support the family;
- conflict between young people and their parents and carers in relation to decisions about whether to stay at school or find work;
- lack of experience in the Australian work system and discrimination among some employers who do not recognise overseas experience;
- lack of flexibility on the part of training providers;
- stress on the part of young people and their families about employment.

3.3 Impact on Social Cohesion and Community Connections.

There are also implications, in the context of the outcomes of detention and resettlement, for refugee and newly arrived young people and their ability to make social and community connections within a new (and sometimes hostile) society. Issues include:

- impact of identity and cultural isolation/shock on the connection of young people with community and the form of this connection;
- lack of opportunities for newly arrived young people to get involved;

- issue of permission from parents prevents young people from getting involved with the local community;
- activities in cultural communities end to be focused on adults. Very few young people get involved for this reason, and tend to relate more with peers/school friends.

4. Conclusion

It is hoped that CMYI's submission to the *HREOC National Inquiry into Children in Immigration Detention* provides a useful insight into the issues and needs of refugee and newly arrived young people settling in Victoria in the context of both refugee flight and post-detention release.

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Appendix 1.

Below is a list of key organisations with which CMYI undertakes partnership roles. These include:

- Australian Red Cross - Tracing and Refugee Services
- Melbourne Citymission
- Melbourne Juvenile Justice Centre
- Melbourne University
- Migrant Resource Centre North West Region
- North Richmond Community Health Centre
- Royal Melbourne Institute of Technology (RMIT) Youth Work Students
- Springvale Community Aid Advice Bureau
- Western Young People's Independent Network (WYPIN)