



Refugee Youth in Focus

NATIONAL FORUM ON YOUNG PEOPLE FROM
REFUGEE BACKGROUNDS: EXPLORING POLICY
AND PRACTICE IN THE AUSTRALIAN CONTEXT

TUESDAY 16 JULY 2013
UNIVERSITY OF SYDNEY LAW SCHOOL



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Contents

Acknowledgements	2
Introduction.....	4
Background	5
Education & Employment Transitions	7
Health.....	10
Youth-Specific Settlement Services	14
Migration Law.....	18
Closing Plenary.....	22
Forum Recommendations.....	23

Introduction

The MYAN was proud to auspice Australia's first national conference on young people from refugee backgrounds in partnership with the University of Sydney Law School, the Refugee Advice and Casework Service (RACS), Refugee Health NSW, Department of Education NSW, the Settlement Council of Australia (SCOA) and the Forum of Australian Services for Torture and Trauma (FASSTT).

With over 300 representatives working across the education, employment, health, settlement and migration law fields, the *Refugee Youth in Focus* forum was a unique and exciting opportunity to engage in the issues facing children and young people in the asylum and settlement contexts, and the sectors supporting them.

Day 2 of a 2-day event, *Refugee Youth in Focus* had a focus on practice, providing opportunities for professional development and cross-sectoral collaboration for people working with young people from refugee backgrounds around Australia.

Day 1 focused on research, presenting findings from a national multidisciplinary project examining resettlement, asylum and settlement issues as they relate to refugee children and youth. Day 1 also provided an opportunity for people working in various sectors with children and young people from refugee backgrounds to come together to learn about new research within their field and to engage with people working in complementary fields.

A forum reception was held in the evening of Day 1, where Dr. David Corlett called for a national framework for the care and support of children and young people who come to Australia as asylum seekers and refugees. Such a framework would provide much needed benchmarks in care and support and contribute to better accountability in policy and service delivery.

This combined 2-day event highlighted the importance of collaboration between research, policy and practice and the importance of research informing policy and service delivery with young people.

Background

The MYAN is Australia's national voice on multicultural youth issues and works in collaboration with the government and non-government sectors to promote the needs and issues facing young people from refugee & migrant backgrounds. It supports the development of a coherent and consistent approach to addressing these needs in policy and service delivery and supports the development of a multicultural youth specialist approach in each state and territory.

Over the last five years, 20,676 young people aged between 12-24 arrived in Australia through the refugee and humanitarian program, comprising approximately one-third of the total arrivals. According to the 2011 census, 11% of Australia's 3.7 million young people (aged 12-24) have arrived in Australia as refugees or migrants.

In building a new life in Australia, this group of young people face particular issues that are distinct from those of adults and their Australia-born counterparts, and have particular needs in the settlement journey. These include learning a new language and culture, navigating an unfamiliar education (health and welfare) system, establishing new peer relationships and doing so while also negotiating the developmental tasks of adolescence. The needs of this group of young people are often overlooked as they are a sub-group of both the broader youth and settlement/multicultural sectors and underrepresented in the policy and advocacy work of both the government and non-government sectors.

MYAN believes that a targeted response or specialist approach at both the policy and service delivery levels is necessary to address these needs and support young people's sustained participation and engagement in Australian society. The MYAN also believes that, fundamental to any policy and program response, is a recognition that young people have unique experiences and knowledge, and should be supported to articulate the issues impacting on their lives and identify appropriate solutions.

Refugee Youth in Focus provided an important platform to explore good practice across Australia - the ways in which service providers are building on young people's strengths and applying a targeted approach to youth settlement. The forum was structured around four streams:

- i. Health;
- ii. Education and employment transitions;
- iii. Youth-specific settlement services; and
- iv. Migration law.

Dynamic panel presentations from those working in policy, applied research and service delivery ensured that discussions in each of the streams resulted in the identification of key policy and advocacy priorities in the settlement of young people from refugee backgrounds in Australia.

OPENING PLENARY

Chair - Carmel Guerra, CEO,
Centre for Multicultural Youth and
Convenor, MYAN (Australia)

The Hon. Victor Dominello MP, Minister for
Citizenship and Communities

Ms Megan Mitchell,
National Children's Commissioner

Mr Cedrick Kayembe Mulumba, Chair, Australian
Youth Forum Steering Committee

Ms Nadine Liddy, National Coordinator,
MYAN Australia

Megan Mitchell, National Children's Commissioner, highlighted the issues of young people in immigration detention and the need for government to uphold our CROC obligations to ensure their care and protection. Cedric Kayemba Mulumba, Chair of the Australian Youth Forum Steering Committee, in his inspirational speech, called for young people of refugee backgrounds to be recognised for their strengths and contributions to the community. Hon. Victor Dominello, NSW Minister for Youth, congratulated CMY & MYAN NSW on its work in building a specialist service for multicultural young people in NSW.



Education & Employment Transitions

SESSION ONE: IN-SCHOOL SUPPORT – ENGLISH LANGUAGE, LITERACY & TRANSITION SUPPORT

Chair: Lucy Morgan, Project Officer, RCOA

Jane Wallace and Rachel Hennessy – Targeted refugee student support in high schools (Dept. Education & Communities, NSW)

The Refugee Transition Program is a NSW initiative to support refugee students during their transition from intensive English language settings to mainstream high schools. Teachers implementing this program drew on ESL pedagogy, the NSW Quality Teaching Framework and the Safety, Trust, Attachment, Responsibility and Skills (STARS) model developed by UNICEF to differentiate teaching and supporting English as another language, literacy and curriculum learning models and to develop whole school strategies that help students feel safe, develop trust and feel valued in their school communities.

This presentation described transition programs and strategies that help new students from a refugee background feel welcome, adjust to the school culture, and develop their English language skills and their academic learnings.

Jessica Walker – The Social Network (Yeronga State High School, QLD)

Jessica Walker's presentation outlined the Yeronga State High School based leadership initiative The Social Network, which was developed and facilitated by MDA (Multicultural Development Association) funded by the DIAC through the Diversity and Social Cohesion Program. The program and its leaders are committed to addressing issues of cultural, racial and religious intolerance by promoting respect, fairness, inclusion and a sense of belonging for everyone.

Bringing students together from a diverse range of backgrounds, the role of the Social Network leaders is to create connections across their school community through the development and delivery of activities and community education initiatives.

The Social Network Program aims to facilitate successful transitions of new students who have recently arrived in Australia. Some of these students have spent some time at Milpera State High School; the reception centre for students who arrived in Australia with little or no English language.

Imman Chakik – Supporting school engagement and learning for refugee students: an individual and group work approach (MTC Youth Connections)

Imman Chakik's presented an overview of the MTC Youth Connections individual and group work approach for supporting school engagement and learning for refugee students. Included in the presentation was a focus on the Gaining Opportunities and Life Skills (GOALS) program, which has been implemented to work specifically with, and address the barriers faced by, humanitarian refugee young people in the local community.

SESSION RECOMMENDATIONS

1. Commonwealth and State/Territory Governments should work to ensure that intensive English language support for newly-arrived young people from non-English speaking backgrounds is consistently available across all of Australia's states and territories.
2. Targeted, individualised support programs that take a holistic view of the needs of young people (including but not limited to their educational needs) result in the best outcomes, but these outcomes often take some time to achieve. In recognition of this:
 - a. Governments should provide sustainable and targeted funding to schools to ensure the continuity of service provision and long-term funding to support transition programs.
 - b. Schools should make long-term commitments to supporting transition programs.
3. Young people should be closely involved in both the design and implementation of transition support programs.

SESSION TWO: SUPPORT FOR LEARNING INSIDE AND OUTSIDE THE CLASSROOM

Chair: Valentina Angelovska

Ruth Tregale, Macquarie University, NSW and Eric Brace, The Australian Literacy and Numeracy Foundation NSW

Ruth Tregale's presentation explored two programs developed through partnerships between universities, schools and community organisations. In these programs, high school aged students from refugee backgrounds received tutoring and mentoring support from university student volunteers.

The first program was Refugee Action Support (RAS), which recruited, trained and placed trainee teachers, social workers and speech pathologists to provide language, literacy and learning support for school students from a refugee background.

The second program, LEAP- Macquarie Mentoring, involved students from Macquarie University providing weekly mentoring sessions to high school students from a refugee background to expose them to alternate educational pathways, including further educational opportunities; developing their awareness of school and university cultures in Australia; and increasing their confidence in making informed decisions about their future.

Sally Reid, Centre for Multicultural Youth (VIC): Learning Beyond the Bell: Supporting Out of School Hours Learning Support Programs Across Victoria

Out of School Hours Learning Support Programs or Homework Clubs provide extra support to students who have significant levels of disadvantage. They provide educational and social engagement opportunities and are particularly important for young people from refugee and migrant backgrounds. Despite good intentions, these programs have often operated with minimal resourcing and a lack of basic infrastructure and quality assurance.

In 2008, the Victorian Government funded Learning Beyond the Bell (LBB) to provide a regional model of support and

coordination for the sector. Sally's presentation reported on the LBB's first phase (2008-2012) and the programs new direction: a focus on out of school hours learning support opportunities for students from a refugee background. It explored the barriers to education that young people from a refugee background face as well as the kinds of support that will increase resilience, recovery & learning.

Ginni Ennals, Polytechnic -TAC: Young Adult Migrant English Program (YAMEP): a holistic approach to learning and community engagement

The 'Living in Between' project currently runs in Tasmania. It is delivered by students aged between 16 and 24 who came to Australia as refugees and who attended the new Hobart Young Adult Migrant English Program. These young people, who come from diverse backgrounds, created a series of workshops they presented to schools and community groups around Tasmania and Victoria. The workshops explored issues relating to why young people leave their homelands as refugees, what it is like to settle in Australia and how racism impacts their lives and their settlement experiences. The program has been very successful, winning human rights and community development awards.

The presentation focused on how the project was established, how it fits into the YAMEP intensive English language program and provided practical ideas to use in the classroom.

SESSION RECOMMENDATIONS

1. A minimum Australian benchmark should be developed in relation to access to Intensive English Language Centres.
2. There should be increased, ongoing funding for Refugee Youth Educational programs across Australia.
3. Programs such as CMY's Learning Beyond the Bell should be delivered in every state.
4. Systematic and stable infrastructure support for schools and universities should be provided to ensure the provision of sustainable and quality programs that meet the needs of young people.

SESSION THREE: EMPLOYMENT TRANSITIONS

Chair: Sky DeJersey (EO, SCOA)

Ka Chan & Brendan Gembitsky – *Ready, Arrive, Work* (Jobquest and Dept. Education and Communities, NSW)

The Ready, Arrive, Work (RAW) Program provides high school aged students from a refugee background with opportunities to be job-ready, learn about Australian workplace practices, consider their goals and plans for future study, training and employment. The program recognises the need for targeted and innovative approaches. Job Quest delivers it in school and community settings in partnership with school staff, including ESL teachers, and representatives from local businesses and community organisations. The program shows how community organisations can assist schools to provide the support required to give students from a refugee background with the skills and understandings they need to succeed in Australian workplaces.

Sally Stewart - *Youth Employment Forum* MDA, QLD)

The Youth Employment Forum offers a place-based model of linking young people directly with employers to improve job outcomes for young people from a refugee background. Picture the Q&A television show on the ABC, with 6 local employers on the panel and 100 young people in the audience.

The Youth Employment Forum run by the Multicultural Development Association (MDA) has been a catalyst for significant change in the attitudes of young people, employers and government policy makers, respectively. This presentation outlined the partnership approach to the forums that involved youth leaders, employers as well as key stakeholders in the local community, and explained how the collaborative approach facilitates youth-led participation and creates positive environments for both young people and employers to engage with one another. The presentation discussed the specific barriers to employment that it aims to address and how the forum model can be replicated nationally.

Mitchell Ryan – *Labour market integration for refugee youth*

Young people from a migrant and refugee background can face multiple challenges in transitioning from educational settings to employment settings. Some of these challenges include issues relating to mental health and language skills, and can affect the long-term prospects of securing sustainable and meaningful employment.

ACCESS Community Services Ltd implements a number of employment programs that assist young people who are refugees and humanitarian entrants in re-entering the workforce. This presentation outlined the way ACCESS Community Services Ltd assists participants with acquiring life skills to fit into the Australian work culture; job search skills to improve their opportunities of finding employment; education and training towards securing employment, including traineeships and apprenticeships and assistance in gaining recognition of their skills and qualifications.

SESSION RECOMMENDATIONS

1. Investment should occur to strengthen a national approach in schools to build refugee young people's competency in career pathways/development and employment opportunities.
2. Young people who are on limited Job Seeker Assistance streams should receive independent career advice.
3. Effective support for refugee young people to assist with their transition from school to TAFE/ University/employment should be established.
4. Employment service providers should link with settlement service providers to ensure increased competency and better access and engagement for clients.
5. Expand programs such as *Ready, Arrive, Work* (Jobquest and Dept. Education and Communities, NSW) which provide support to young people who are not linked with job seeker Assistance.

Health

SESSION ONE: TRAUMA AND THE IMPACT OF DETENTION

Chair: David Fox (Director, Refugee Services, McKillop Family Services)

Assoc. Prof. Harry Minas (Director, Centre for International Mental Health)

Melbourne School of Population and Global Health)

The Australian Human Rights Commission Report: A Last Resort? National Inquiry into Children in Immigration Detention, despite now being almost ten years old, is relevant today, as there are still record numbers of children in detention. Among its key recommendations are:

- Children in immigration detention centres and residential housing projects should be released with their parents, as soon as possible;
- Australia's immigration detention laws should be amended, as a matter of urgency, to comply with the Convention on the Rights of the Child;
- An independent guardian should be appointed for unaccompanied children and they should receive appropriate support;
- Minimum standards of treatment for children in immigration detention should be codified in legislation; and
- There should be a review of the impact on children of legislation that creates 'excised offshore places' and the 'Pacific Solution'.

Katherine Knoetze & Naomi Kikawwa (QPASTT, QLD)

Trauma informed practice with young people who have been through immigration detention

Katherine Knoetze's presentation focused on increasing understanding of the complexity of working with unaccompanied minors within the context of: culture,

age, traumatic history, mental health as well as the expectations that they, their families and the broader community hold for life in Australia. It also focused on intervention strategies that aim to enhance the settlement experience and explored the effects of trauma and the possible progression of their symptoms in detention.

The presentation also explored the importance of the healing relationship between professionals and young people coming out of detention, whereby the core experiences of trauma are disempowerment and disconnection from others, and therefore recovery is based on empowerment of the survivor and the creation of new connections. Recovery can take place only within the context of relationships, it cannot occur in isolation. In her renewed connections with other people, the survivor recreates the psychological faculties that were damaged or deformed by the traumatic experience.

SESSION RECOMMENDATIONS

1. Trauma informed care should underpin all approaches for caring for asylum seeker children and young people in detention.
2. The importance of the healing relationship should be prioritised in DIAC and Serco's decision-making processes in respect to children and young people.
3. Young people should be closely involved in both the design and implementation of transition support programs.
4. The Federal Government should convene an expert panel to consider the impact of detention on children and young people (accompanied and unaccompanied), including its legality and possible exposure of the government to future legal action.



SESSION TWO: MENTAL HEALTH & SERVICE UTILISATION

Chair: Carmel Guerra (CEO, Centre for Multicultural Youth)

Dr. Helena deAnstiss, (Director, Multicultural Youth S.A) - *In or out: barriers and facilitators to mental health service utilisation by refugee young people – young people’s views*

This presentation outlined the findings of 13 focus group sessions held with 85 refugee adolescents aged between 13–17 years from Afghanistan, Bosnia, Iran, Iraq, Liberia, Serbia, and Sudan. The research was part of a wider investigation on mental health problems and service utilisation by refugee parents of children aged 4–17 years, and by adolescents aged 13–17 years.

The focus group findings indicated that most were very reluctant to venture beyond their close friendship networks for help with their psychosocial needs due to a range of individual, cultural, and service-related barriers. The main service delivery issues were explored, as well as implications for policymakers, service planners, and service providers.

Dr. Georgia Paxton (Royal Children’s Hospital, VIC) - *In or out: barriers and facilitators to mental health service utilisation by refugee young people – providers’ views*

This presentation covered background information from Victoria on mental health services use by refugee young people. It also presented work from collaboration between the Centre for International Mental Health, Foundation House, Centre for Multicultural Youth and Royal Children’s Hospital in Victoria, examining service providers’ views on barriers and facilitators to mental health service use.

SESSION RECOMMENDATIONS

1. Investment in refugee youth-specific policy and planning should occur, as well as a greater investment in improving system-wide cultural competence and capacity.
2. Ethno-specific services should consider the special needs of children, adolescents and young people.
3. There should be more integrated, multi-sectoral, multi-agency early intervention and prevention programs for young people of refugee backgrounds, as well as outreach services.
4. Data collection should be improved, including service providers collecting accurate data relating to the cultural and linguistic identity of service users.
5. Mental health services should:
 - Address individual and induced psychiatric stigma via school-based stigma reduction programs;
 - Offer services in a form appropriate to young people (e.g., school and community-based settings);
 - Respond to practical and social needs in addition to psychological issues;
 - Educate to improve mental health literacy; and
 - Establish interagency and inter sectoral partnerships with the wider social service system including primary health care services, education-based services, and the various government and non-government services that have extensive contact with refugee families.

SESSION THREE: EDUCATION & HEALTH: ADDRESSING HEALTH IN SCHOOL SETTINGS

Chair: Dr. Mitchell Smith (Director, NSW Refugee Health Service)

Dr Karen Zwi and Lisa Woodland - Optimising Health and Learning

Optimising Health and Learning is a partnership project between public education and health services, which aims to improve early identification of and intervention for health issues likely to impact on student learning. The target group for the project is refugee and other vulnerable newly arrived students. The project is being piloted in two Intensive English Centres and involves nurse-led health screening, parent education and linkage with local GPs. Indicators of success include a high yield for health conditions (including vision and hearing problems, vitamin and nutritional deficiencies); linking newly arrived families to the health care system; positive impacts on student learning and an increase in the strength of the partnerships and those involved in the partnership.

Jasmina Bajraktarevic - Expression and Healing through an Afro-Brazilian Art Form – Capoeira Angola and Refugee Young people (STARTTS, NSW)

Capoeira Angola, an Afro-Brazilian art can be likened to a dance, or a martial art technique, arose in Brazil in the 16th Century as a social reaction to the oppression of the African people brought to Brazil as slaves. Capoeira Angola is rooted in African traditions and intertwined with concepts of empowerment and resilience. It was used by African slaves as a mechanism to maintain their cultural identity and overcome their subjugation under Portuguese colonial rule. It is a game of strategy and requires focus, thought and awareness in order to exercise judgment and critical thinking.

Capoeira Angola uses a framework of empowerment and overcoming adversity through the development of individual strength, building of trusting relationships and group membership. These concepts speak to young

people who have experienced the trauma of war and persecution. Capoeira Angola also has the ability to transcend cultural boundaries.

Ann Locarnini - Early identification of at risk students (Monash Uni VIC)

Ann Locarnini reviewed the benefits of school-based interventions, and discussed the lack of evidenced based treatments for post trauma symptoms in adolescent refugees. The discussion also focussed on the issues of reliability and validity of measures in cross cultural settings, and how her project at Monash has attempted to address this problem.

SESSION RECOMMENDATIONS

1. Develop standardised measures for mental health.
2. Recognise and invest in ongoing funding for innovation pilot programs that are shown to be successful.

Youth-Specific Settlement Services

SESSION ONE: SUPPORTING YOUTH-SPECIFIC APPROACHES IN SETTLEMENT

Chair: Andrew Cummings (Project Manager, MYAN NSW)

Dr. Jen Couch - Youth-work frameworks in settlement (Aust Catholic University, VIC)

Dr Jen Couch's presentation highlighted the importance of adopting youth work frameworks to address the needs of young people during the settlement and resettlement process in Australia. Respect for young people is at the heart of youth work in a profession that works 'where young people are' with a positive, participative and non-judgemental approach. At the core of youth work practice is the establishment of a relationship with the young person.

Girma Seid - Brimbank Young Men's Project (Centre for Multicultural Youth, Victoria)

The Brimbank Young Men's Project began as a pilot project in 2009 as the Young African Men's Program (YAMP). It is an initiative of the Centre for Multicultural Youth (CMY), funded by the Department of Immigration and Citizenship (DIAC). The program aimed to identify and trial a service in response to the resettlement issues and needs identified by newly arrived young African men in the Brimbank region. It aimed to enhance their capacity to engage in educational, training and employment pathways to help them rebuild their lives through supportive family, peer and community relations.

Brenda Martin - Reconnect Specialist Newly Arrived (Multicultural Youth Service, ACT)

The Reconnect program uses community-based early intervention approach to assist young people who are homeless, or at risk of homelessness, and their families. Multicultural Youth Services (MYS) ACT is a Newly Arrived Youth Specialist provider under the Reconnect program, supporting young people aged 12-21years who have been in Australia for less than five years. As a multicultural specific youth service, MYS ACT provides an innovative service to newly arrived young people by committing to the following principles:

- Flexibility;
- Responsively; and
- Cultural appropriateness.

The presentation outlined how these principles were implemented in the day to day service planning and delivery to engage with, and meet the needs of, young people from a refugee background.

SESSION RECOMMENDATIONS

1. There should be more opportunities to explore the specific role of youth work in supporting the settlement of young people from a refugee background.
2. There should be increased flexibility and responsiveness in relation to funding opportunities, and service delivery for youth-specific settlement services that address the needs of young people from a refugee background.



SESSION TWO: INNOVATION IN YOUTH SETTLEMENT SUPPORT

Chair: Heather Stewart (Coordinator, South-East Region, CMY)

David Keegan (Settlement Services International, NSW) – Responding to young people’s needs in HSS: SSI’s ‘Youth Support and Coordination Project’

A 2012 Settlement Services International (SSI) and MYAN NSW review of services of young people identified that many young people have common settlement experiences that are different to their parents or younger siblings. The report also identified that settlement workers do not adequately understand young people’s needs and the complex social and cultural relationships that they navigate through on arrival to Australia. Notably, the youth sub plan tool that DIAC recently introduced, is inadequate in assisting case managers to meet these complex needs.

This presentation provided an overview of the manual and casework model that SSI has adopted in working with young people from a refugee background. It outlined some of the initiatives that some SSI teams have implemented as a result of this increased focus on adopting youth settlement approach, as distinct from a general settlement approach.

Anne Sorenson – Sharing Stories: Sexual health & Peer Mentoring (Metro Migrant Resource Centre, W.A)

The Metropolitan Migrant Resource Centre in WA is recognised for its innovative and effective programs in sexual health and peer mentoring for young people from refugee and migrant backgrounds. This presentation showcases how MMRCs theatre based peer education project in sexual health, Sharing Stories and its mentoring and leadership project LEAD, combine to deliver opportunities to empower young people to be able to support and mentor their peers through camps, drama, and other creative events.

Samantha Ratnam and Essan Dileri, - Complementary Practice - Lessons from settlement work with young people (Spectrum MRC, VIC)

Over the last decade, Spectrum Migrant Resource Centre (MRC) has developed a number of programs aimed at supporting young people in their settlement journeys, including the Ethnic Youth Council, Voices for Change, Sports Engagement Programs and a homework club. Spectrum MRC’s model of service delivery aims to develop complementary programs that address issues such as intergenerational conflict, social exclusion and homelessness. This presentation focused on the key aspects of this complementary and integrated service model of youth programs and discussed the potential for this approach for the settlement and youth services sector.

SESSION RECOMMENDATIONS

1. Longer support periods, and therefore longer term funding, should be introduced in settlement services to ensure that the needs of young people from refugee backgrounds are more adequately met.
2. Sexual health should be included in settlement service delivery.
3. There should be a continuing recognition of the importance of working with families to achieve best outcomes for young people from a refugee background.
4. A central clearinghouse should be established that coordinates research and resources relating to programs, practices, and policies relevant to young people from a refugee background to enable evidence based decision making processes and policy initiatives.

SESSION THREE: UNACCOMPANIED HUMANITARIAN MINORS: EXPLORING CURRENT ISSUES IN CARE AND SUPPORT

Chair: Nadine Liddy (National Coordinator, MYAN)

Katie Constantinou (Department of Immigration and Citizenship) - The Unaccompanied

Humanitarian Minors (UHM) Program – a legislative and policy perspective

Australia's response to unaccompanied humanitarian minors has a long history. The Immigration Guardianship and Children Act dates from 1946 and was originally designed to support the settlement of British child migrants. Since the 1940s, patterns of migration to Australia have changed dramatically. Most recently, unaccompanied minors have typically arrived in Australia by boat from Afghanistan, and elsewhere in Western and Southern Asia. Katie Constantinou's presentation charted the changing nature of the migration trends, legislative and policy frameworks that have governed the UHM Program and its antecedents; the challenges inherent in service delivery in an ever changing environment and explored where we are now.

Meena Krishnamoorthy - Young people & family reunion: legislation and options post August 2012 (Refugee Advice and Casework Service, NSW)

Recent changes to migration legislation and policy have made it very difficult for unaccompanied minors who are accepted as refugees to reunite with their family members in Australia. This presentation discussed some of the legal and practical challenges involved in family reunion and the options for young people from a refugee background.

Ghulam Moqaddam - Seeking asylum as an unaccompanied minor: a personal perspective

Gulam's presentation provided a personal perspective on seeking asylum in Australia from a young person. He highlighted some of the challenges as well as the factors that support good settlement experiences for young people who arrived in Australia through on-shore avenues. Gulam revealed:

Ghulam and his family fled Afghanistan for Quetta Pakistan in 2009. But, after realising the situation in Pakistan was just as unsafe as Afghanistan, Ghulam's family set him on a journey to Australia to find hope for his future. Ghulam's eventual release from immigration detention into community detention in Ballarat, in regional Victoria, came as a relief after

spending time on Christmas Island and in Darwin. Ghulam thrived as a new member of the Ballarat community and, after being granted a protection visa was fostered by a local Aussie family and enrolled in Year 12. In 2011 Ghulam was named the Afghan Multicultural Ambassador for Ballarat and remains an active member of the multicultural committee.

Ghulam attributes his achievements, such as obtaining a VCE certificate in under a year, to the support shown by his Australian family, his teachers and the generosity of local community organisations. This year Ghulam commenced a Bachelor's degree in Mining Engineering at Ballarat University.

SESSION RECOMMENDATIONS

1. Explore options to alleviate the financial costs associated with applications for family reunion.
2. Increase services and/or eligibility for services for those on a range of visas.
3. Develop a national framework to ensure that children and young people receive the care and support they need as refugees or asylum seekers in Australia, and ensure sector engagement in the development of such a framework.

Migration Law

SESSION ONE: REPRESENTING CHILDREN AND YOUNG PEOPLE IN THEIR CLAIMS FOR REFUGEE STATUS AND COMPLEMENTARY PROTECTION

Philippa McIntosh (Refugee Review Tribunal)

Philippa McIntosh's presentation provided an outline of the Refugee Review Tribunal's practices and policies relating to children seeking protection visas on shore in Australia, as well as her own experiences as a reviewer of the process.

The presentation also covered publicly available Tribunal resources relating to minors, written communications with minors, hearings involving minors, the role of representatives in reviews involving minors, as well as some general observations about accompanied and unaccompanied children.

Mary Anne Kenny (Assoc. Prof. Murdoch University)

This presentation focussed on the capacity of children, accompanied and unaccompanied, to give instructions and articulate their claims for asylum.

Complementary protection claims were also discussed as important in the area of young people seeking asylum. As of 24 March 2012, there has been an additional basis for the grant of a Protection (Class XA) (subclass 866) visa. Whether a person is owed protection by Australia will depend upon an assessment of their claims under the 1951 Convention relating to the Status of Refugees and its 1967 Protocol (the Refugees Convention), together with an assessment of their complementary protection claims. Both assessments will be undertaken when processing applications for a Protection visa.

Complementary protection is the term used to describe a category of protection for people who are not refugees as defined in the Refugees Convention, but who also

cannot be returned to their home country, because there is a real risk that they would suffer a certain type of harm that would engage Australia's international non-refoulement (non-return) obligations.

Jemma Hollonds (Refugee Advice and Casework Service, NSW)

Jemma Hollonds' presentation highlighted issues in relation to analysing child specific forms of persecution, country information and children when considering the application of Article 1A of the Refugee Convention.

The discussion also included an overview of the practicalities of form 866 (the protection visa form) in relation to child claims – how best to represent the child's claims on paper.

SESSION RECOMMENDATIONS

1. Migration agents should consider the relevance of complementary protection when putting forward a child's claims. Complimentary protection claims are often stronger for children.
2. Migration agents should ensure that they put the child's claim forward when filling in a family's form 866, as the child's claim may be stronger than that of the parents. It is important to fill in part C of the form for all children.
3. If possible, migration agents should have training in best practice when working with children who are seeking asylum.
4. Migration agents should make clients aware that the Refugee Review Tribunal will, on occasion, interview the children in a family to verify or support their parents' claims.



SESSION TWO: WORKING EFFECTIVELY WITH CHILDREN AND YOUNG PEOPLE FROM REFUGEE BACKGROUNDS

[Jen Vallentine \(Australian Red Cross\)](#)

[Fiona Eisenhauer \(Uniting Care Burnside\)](#)

[Dylan Thompsett \(Marist Youth Care\)](#)

This presentation provided an overview of working with Un Accompanied Minors (UAMs) and asylum seeker children in support houses, and how clients are prepared for life in Australia. The presentation emphasised how important the legal process is for UAMs and children, and that migration agents need to consider the timing in relation to delivering bad news, and in particular whether or not there are support workers present if they receive a negative decision vis-à-vis application process. Strategies were also presented in relation to managing clients' expectations, as well as developing strategies for clients to say goodbye to friends and/or family members who have been granted visas as well as coping strategies for clients awaiting their application outcomes. The presentation also included a comparison of the experiences of pre and post 13 August clients' expectations.

[Marc Chaussivert \(STARTTS\)](#)

This presentation highlighted the effect of the asylum seeking journey on the development of children, and their ability to articulate claims in a protection interview process.

[Tamerlaine Beasley \(Beasley Intercultural\)](#)

Tamerlaine's presentation focused on the capabilities required to be effective when working in complex cross-cultural contexts, including an exploration of the necessary knowledge, skills and attitudes. Included throughout the presentation were some research and practical examples of how to develop skills and what to focus on to improve outcomes.

SESSION RECOMMENDATIONS

1. Migration agents should receive training in understanding the effects of torture and trauma on children and young people seeking asylum.
2. Migration agents should understand the role of community support workers in UAM houses, and ensure they are consulted with, particularly when giving good or bad news as this has an impact on the whole house.
3. Migration agents should endeavour to make appointments with their clients outside of school hours, if possible, in order to minimise disruption to their schooling.

SESSION THREE: YOUNG PEOPLE AND FAMILY REUNION: CURRENT CHALLENGES IN POLICY AND PRACTICE

[Kerry Murphy \(D'Ambra Murphy Lawyers\)](#)

[Ali Mojtahedi \(Refugee Advice and Casework Service\)](#)

The presentations outlined the challenges faced by children in Australia who wish to reunite with their families and the challenges faced by parents wishing to bring their children to Australia. Migration law in Australia has always been an area of the law subject to change, but the rate of change in the last few years is unprecedented. The presentation outlined the pre 13 August 2012 (old Refugee Special Humanitarian Program 202 visa entry route) and compared it to the post 13 August 2012, including changes to the application under split family provisions.

The session also explored the differences between sponsoring a child under a Child Visa, or as a dependent for a partner visa, or as a member of the immediate family/family unit, and why this is important for the sector to know. Issues such as the cost of visas, including recent fee increases, as well as the regulations on identity documents which can be onerous for refugee applicants were also addressed in the presentation.

SESSION RECOMMENDATIONS

1. A more humane approach to family reunion options is recommended with lower fees, particularly for child visas.

2. The discretion shown towards offshore humanitarian applicants in relation to documentary evidence should be extended to the families of refugees when applying under the family stream.

Closing Plenary

CHAIR - CARMEL GUERRA, CEO,
CENTRE FOR MULTICULTURAL YOUTH

Senator the Hon Kate Lundy, Minister for
Multicultural Affairs

The Hon. Teresa Gambaro, MP

Senator Richard Di Natale

The closing plenary was an opportunity to present some of the key forum recommendations (elicited from the session recommendations) to a panel of MPs. Recommendations were conveyed to the panel through the following questions, with responses received from each of the panel members.

1. DIAC is seen to be responsible for the immediate settlement needs of young people. Up to 60 % of the humanitarian intake are under 30, but this is not represented in the level of program funding. Changes to HSS and SGP to provide a more targeted focus on young people are welcomed (and the MYAN is a funded body supporting a national approach to youth settlement), but there is a need for further improvements in this area to ensure that young people receive the, often intensive support, in the settlement process.

What is your view of further targeting and expanding youth-specific settlement funding?

2. DIAC provides funding for a 5 year support period for high risk young people. After 5 years, the assumption is that they are accessing mainstream services. This is not the case for those that are most at risk.

What we need is 'whole-of-government' approach to address their key settlement needs that goes beyond DIAC.

Can you tell us what your position on how you would facilitate this approach?

3. The needs of UHMS as a particularly vulnerable group are well documented and acknowledged. Once they turn 18, they are expected to integrate into the adult system when in reality the adult system is not equipped to adequately respond to their needs.

What is your position on extending specialist support beyond 18 years of age to those who arrive in Australia as UHMS?

4. It is well known that data collection systems across the country in every service area (with the exception of DIAC and Centrelink) are poor and sometimes non-existent. This is consistently identified in literature and also at this forum - e.g. the need for better data collection in relation to young people from refugee or newly arrived backgrounds in the juvenile justice system, child protection and engaging with homelessness services. This results in planning and accountability that is consistently inadequate, if not impossible.

What can we do at a federal level to develop a consistent data collection system, including at minimum, country of birth, language/s spoken, ethnicity or cultural background and & visa category?

Bi-partisan support for the following was achieved:

- The development of a National 'Refugee-Youth Status Report' on how young people from refugee backgrounds, including those who have arrived as asylum seekers, are faring on key social indicators
- A commitment to addressing inadequacies in consistent data collection across government departments
- Ensuring that all government-funded mainstream/generalist youth programs include capacity to adequately meet the needs of young people from refugee backgrounds.

Forum Recommendations

The following recommendations were identified from the forum, with the MYAN calling on the Government to:

- Develop a national status report on how young people from refugee backgrounds are faring;
- Provide a national framework for the care and support of children and young people who come to Australia as asylum seekers or refugees;
- Establish a nationally consistent approach to ESL support in secondary schools;
- Improve access and equity in relation to youth mental health services, including the development of targeted programs to better meet the needs of refugee young people; and
- Provide improved transition support for unaccompanied humanitarian minors turning 18 and leaving out-of-home care.

These recommendations reflect the key recommendations captured in each of the sessions. They highlight a number of key gaps in the service delivery framework that currently exists to address the needs and challenges of young people from a refugee background and represent the need for those in the sector and governments (local, state and federal, respectively) to work towards a more coherent and consistent approach in supporting the needs of children and young people settling and/or seeking asylum in Australia.

If these recommendations were to be adopted, they would provide much needed benchmarks in the care and support of refugee young people and contribute to better accountability in policy and service delivery.

