

Good report about australia's asylum seeker policy: a critical evaluation

[Parts of the World](#), [Australia](#)



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Introduction

Australia's economically developed status attracts tens of thousands of refugees to the country each year, and this trend poses a range of socio-economic threats to nation. In response to this social problem, the Australian governments under Labor and Liberal parties have been adopting a tough stance towards the refugee arrivals at Australian coasts by boats. Since the increasing number asylum seeking claims has been a sensitive issue in the Australian politics, the political parties always tend to meet the interests of Australian citizens in this regard. This paper will critically evaluate the Australia's asylum seeker policy, government and community responses to the policy, and impacts of the policy on stakeholders. This will also recommend some potential alternatives/improvements in order to address the issue.

Overview of the Policy

Australia is a signatory to the 1951 Refugee Convention and currently accepts the rights of asylum, under which the country offers protection to individuals who were persecuted by their own country. However, the Australia's current asylum seeker policy is to detain people entering the country without a valid visa and Australia is recognized to be the only country in the world that strictly enforces the detention of asylum-seekers. The right of asylum has been a sensitive policy issue in the Australian politics for decades and hence political parties have been acting on this issue simply to gain advantages over their rivals in federal elections. In response to the increasing number of asylum seekers arriving in Australia from Cambodia in the early 1990s, the government of Paul Keating enacted a policy called mandatory detention. Following the 9/11 terror attacks in the United States, the Australian government amended the Commonwealth Migration Act (1958) to form Pacific Solution, which directed refugees to Australia's nearby island nations such as Papua New Guinea and Nauru, where refugees were allowed to immigrate to Australia only after undergoing a lengthy asylum process.

Although the Pacific Solution was repealed and an open immigration policy was adopted by the Australian Prime Minister Kevin Rudd during the 2007-2012 period, the government of Julia Gillard reintroduced the Pacific Solution and offshore processing system following the recommendations of an expert panel. As Taylor (2014) reports, the Prime Minister Tony Abbott also tends to follow this tough asylum policy and he has expressed no intentions of softening this public policy in favor of asylum seekers. According to the

National Coalition led by Tony Abbot, the growing number of boat arrivals to seek asylum protection appears to be a potential 'threat to public order and national security' (Ghezelbash & Crock, 2013). Amid the reports that asylum seekers at Australian detention camps are treated unfairly, the government defends its position not to reconsider softening the current asylum policy.

Responses to the Policy

When analyzing the responses of communities and the government to this policy, it seems that most of the Australians support the country's current asylum policy. According to Ghezelbash and Crock (2013), the Labor Party also backs the tough asylum policy claiming that such a strong stance is vital 'to deter asylum seekers from risking their lives at sea'. Responding to the increasing rate of suicidal attempts by refugees at detention centers, Prime Minister Tony Abbot stated that he would not be held 'over a moral barrel' and his government would not surrender to those self-harm threats; and he added that his government would continue to block asylum seekers at sea and would not allow even genuine refugees to resettle in Australia (Taylor). It is identified that the government's efforts to deny refugees' access to Australian territory often receive strong public support. Since the 9/11 terror attack, there has been a growing public feeling against Muslim asylum seekers in Australia.

However, the Australian asylum seeker policy has been drawing strong international criticism. The United Nations Special Rapportuer on Torture found that the Australian asylum policy breaches the Convention against Torture. Daniel Webb, the Human Rights Law Centre Director of Legal

Advocacy, asserts that Australia has failed to meet the standards of the Convention “ by leaving people locked up indefinitely in appalling conditions on a remote island” (as cited in Human Rights Law Center, 2015). The Amnesty International condemns Australia's detention and offshore processing of asylum seekers as ‘ inhumane and degrading’; and according to Claire Mallinson, the national director of Amnesty International Australia, the Australian government's attitude towards asylum seekers was ‘ shamefully inadequate’ (ABC News, 2015). In addition, some Australian human rights groups have also questioned the country's asylum policy arguing that it is against the basic humanitarian values. They add that it is unfair to allow refugees to die at Australian coasts. Recently, China, the Australia's largest training partner, also criticized the country's treatment of asylum seekers (Taylor).

Impacts of the Policy on Stakeholders

The Australia's asylum policy has severe impacts on the mental health of asylum seekers including children. It is clear that refugees are already a vulnerable population, and hence their susceptibility to mental health problems is exacerbated by detention centers. Evidences from independent research studies indicate that “ Prolonged and uncertain periods of detention exacerbate mental health issues by a contagion effect where by dysfunctional thinking is magnified and shared by groups of people who are frustrated, distressed and/or have mental illness” (afram, n. d.). Reports indicate that asylum seekers are vulnerable to mental health problems such as anxiety, depression, suicidal tendency, and post-traumatic stress disorder.

Children in detention centers are more prone to mental health issues because their mental health development is severely affected, causing long-term troubles to social and emotional functioning (afraam). It is important to note that people locked in offshore processing and detention centers have limited access to mental health services.

When it comes to the economic impacts of the Australia's asylum seeking policy, it is identified that the policy is simply a colossal waste of money. The Australian government needs to spend a huge amount of money for running detention centers and the offshore processing system under the Pacific Solution. Financial data indicate that the Pacific Solution policy cost the country over AU\$1 billion during the 2001-2007 period (Crikey, 2015). In addition, the country is obliged to render financial assistance to Papua New Guinea in exchange for accommodating the asylum seekers. According to a report by Whyte (2014), the Australian federal government has spent over \$1 billion last financial year only for meeting the housing needs of asylum seekers detained in Papua New Guinea and Nauru. However, the current asylum policy is capable of securing the public order and enhancing national security in the context of growing terror threats worldwide.

Recommendation for Action Plan

Considering the gigantic operating costs and legal and ethical issues associated with the Australian asylum seeking policy, it is vital to develop alternatives or improvements to the current policy. It is clear that running detention centers would cost the Australian government huge amounts, and hence it is sensible to think about some potential alternatives to detention

facilities. It is recommendable for the Australian government to rely on onshore community-based facilities for processing the claims of asylum seekers as it seems to be an effective strategy to trim down costs and to offer humane services to refugees. Although government officials argue that community-based arrangement for refugees may hurt community safety and national security, the community processing raises no threats to the public in reality. To support, the statistical evidences suggested by Edwards (2011) indicate that only five people, out of the 12, 000 released into the Australian community since 2011, were charged with a crime.

Similarly, the community processing system would not cause additional harms to the lives of already traumatized people, and this strategy can assist the country to manage refugee claims in compliance with the accepted international human rights standards. Experts suggest that community processing may assist refugees to get rid of mental health problems such as anxiety, depression, and suicidal tendency because they would feel a strong sense of social security in a community setting. Statistical projections reflect that an onshore community-based system would have saved hundreds of millions of dollars for Australia. To illustrate, a 2011 UNHCR report (as cited in Edwards, 2011) estimated that a mandatory detention facility would cost \$339 per asylum seeker daily whereas the community processing would cost between \$7 and \$39 per day. With the establishment of an effective community processing system, the Australian government can stop providing financial assistance to its nearby island nations in exchange for taking refugees.

Legal and Ethical Issues

Since Australia is a signatory to the 1951 Refugee Convention, the way the country treats the refugees constitutes a clear violation of the Convention. According to the report by Laughland (2013), the United Nations High Commissioner for Refugees (UNHCR) found that the Australia's offshore detention policies such as transfer of refugees to nearby island nations within 48 hours breach the international law. According to Penelope Mathew (as cited in Moloney, 2013), the professor from the ANU College of Law, the Australian practice of ' mandatory detention and bridging visas' breaches the Convention along with other UN treaties; and, when the Australian government denies a recognized refugee the right to work, it becomes the breach of article 17 of the Convention and article 6 of the ICESCR. The current asylum policy also constitutes the breach of Australian federal law which requires the Australian government to meet the ' international obligations it has voluntarily assumed' (Law Council of Australia, n. d.). By violating the terms of the Convention and other international treaties to which Australia is a signatory, the federal government breaches the country's Rule of Law.

Social Policy Literature and Theories

In a broader sense, social policy can be defined as the study of sources of social problems and what governments can do to resolve or manage them. According to Alcock, (2012), social policy represents an academic discipline " which both overlaps with cognate subjects and has a discrete disciplinary base" (p. 5). The growing needs of the society seem to be a major factor

contributed to the fast development of social policies. Scholars suggest that the doctrine of social policy is subjected to changes, and there will be further shifts from a provider culture to a consumer culture over the coming decades. A range of social science research approaches is used to broaden the foundation of social policy and to make adequate improvements to the social policy from time to time. In the words Manning (2012), the primary objective of any social policy is to address 'social needs, social problems, and social welfare and well-being' (p. 19).

There are numerous social theories including sociobiology, rational choice theory, phenomenological sociology, symbolic interactionism, social identity theory, balance theory, and status theory influencing the formation of social policies. It is important to note that different regions, cultures, or countries follow different social theories, and hence this difference is observed in their social policies too. Social theories specifically consider the cultural uniqueness, customs, and traditions of a region and the same approach is followed in social policy formation too. Regardless of the structural and cultural variances, every social policy attempts to enhance the living standards of the audience and to improve the overall social welfare.

Conclusion

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