11 March 2022
Victoria Casey QC
Queen’s Counsel

By email to: victoria.casey@cliftonchambers.co.nz

Tēnā koe Ms Casey

Re: Detention of Asylum Seekers Review

On behalf of the Royal Australian and New Zealand College of Psychiatrists (RANZCP), the New Zealand National Committee Tu Te Akaaka Roa, and the New Zealand Fellows of the Asylum Seeker and Refugee Mental Health Network Committee (ASRMHN) we would like to convey our gratitude to provide this submission before the completion of your report.

The RANZCP, through the advice of the ASRMHN advocates for mental health services for asylum seekers and refugees and provides advice to governments in Australia and New Zealand. The RANZCP has a comprehensive understanding of what is required to improve the mental health outcomes of asylum seekers.

The mental health of asylum seekers is an ongoing area of concern for the RANZCP and the ASRMHN provides specialist psychiatric knowledge of practice and treatment that apply to this population. Our overall message for the review is that asylum seekers ought not be housed in criminal justice facilities as this poses the risk that some individuals will be retraumatised by that occurrence.

We would welcome future opportunities to provide advice to Immigration New Zealand about the detention of these people. Our short submission to the current review is attached at the close of this letter.

Once again, we convey our thanks for the ability to provide input into the Detention of Asylum Seekers Review. If you have any further queries regarding this letter and submission, please contact the NZ National Manager, Jane Renwick. She can be contacted at jane.renwick@ranzcp.org or via phone at (04) 4830 718.

Nāku iti noa, nā

Associate Professor Susanna Every-Palmer FRANZCP
Chair, Tu Te Akaaka Roa - New Zealand National Committee
Response to the Detention of Asylum Seekers Review

The Royal Australia and New Zealand College of Psychiatrists (RANZCP), New Zealand National Committee and New Zealand representatives of Asylum Seeker and Refugee Mental Health Network Committee (ASMHRN) have concerns about the use of Corrections and Police facilities in New Zealand being used for immigration detention due to the impact on asylum seekers' mental health.

Asylum seekers are among the most vulnerable and marginalised people in our community, many having experienced torture, trauma and other catastrophic events prior to displacement and flight. Of all migrant groups, asylum seekers and refugees are the most vulnerable to mental and physical ill health with common mental health disorders twice as high in refugee populations in comparison with economic migrants (RANZCP, 2017). Asylum seekers and refugees are at particular risk of developing a range of comorbid psychological disorders including post-traumatic stress disorder (PTSD), anxiety, depression and psychosomatic disorders. Contributing factors include previous traumatic experiences including torture, persecution, displacement and loss as well as life-risking journeys involving forced migration, cultural bereavement, culture shock, discrepancies between expectations and achievements, and/or non-acceptance by a new nation (Bhugra et al., 2011).

The risk of mental health harm from detention is greater for children, pregnant women, people with mental illness/disability, and survivors of torture and trauma (RANZCP, 2017).

Many mental illnesses, including PTSD, are complex to treat and often unresponsive to primary interventions. They require specialist therapeutic interventions, resources and independent treatment settings which are not available in New Zealand Corrections and Police facilities.

Harms to wellbeing accumulate during detention and the longer a person is held in detention, the higher their risk of developing or worsening mental ill health (Méndez, 2015). Mental health conditions are unlikely to respond to treatment until key stressors are removed from the patient’s life. While people continue to be held in difficult, often (re-)traumatising conditions and with an uncertain future, mental disorders are likely to persist or worsen (RANZCP, 2017).

In Australian immigration detention facilities, self-harm and suicidal behaviour have become endemic amid well-documented allegations of the exposure of asylum seekers and refugees in detention to sexual and physical assault and abuse, and conditions which are tantamount to cruel and degrading treatment (AHRC, 2013; AHRC, 2015; Amnesty International, 2016). An international systematic review from Campbell Collaboration confirmed the deleterious effects of detention on the mental health of asylum seekers and refugees (Filges et al., 2015).

The RANZCP recommends community alternatives to detention for asylum seekers, to minimise risks to mental health and wellbeing.
References