



Myths about the Villawood Detention Centre 'riots'

Early on the morning of 20 April 2011, two asylum seekers climbed onto the roof of the main building at the Villawood Immigration Detention Centre after their application for a permanent protection visa had been rejected for the second time. By nightfall, 11 others joined them on the roof while a protest by up to 100 people resulted in the destruction of nine buildings by fire. The public outrage over the destruction of property by these asylum seekers has been overwhelming, fuelled by bi-partisan condemnation of the protesters and a lack of context in subsequent media reports.

Here are the FACTS.

MYTH: The rioters were committing acts of violence in order force an undeserved favourable decision

FACT: The conditions and delays in detention are the largest sole contributing factor to unrest in Australia's detention system.

Across the entire detainee population, there has been a 1400 per cent increase in long-term detention over the past year alone. While immigration detainees grew by 196 per cent, people detained more than six months grew seven times faster - from 258 in March 2010 to 3901 in March this year.¹ According to media reports, there were up to 100 detainees protesting at Villawood detention centre. There is no doubt that delays in processing fuelled their frustrations.

The brother of one of the protesters on the roof at Villawood, Majid Parhizkar, 24, was already granted a protection visa and had joined his mother and sister in the community. Majid, on the other hand, had his application rejected twice. While still able to appeal this decision in the Federal Court, there is no telling how long it will take. He has been in detention for 15 months already. The remaining two protesters on the roof have been detained for even longer.

MYTH: Asylum seekers are criminals and don't deserve our sympathy

FACT: Asylum seekers who enter Australia without a valid visa by sea or plane are not illegal and therefore have not engaged in any criminal behaviour.

Asylum seekers are permitted to enter without prior authorisation because this right is protected by Article 31 of the 1951 Refugee Convention which recognises that there is good cause for their unauthorised entry.² Like a speeding ambulance, asylum seekers are exempt from the usual application of the law because they are in an emergency situation. Consequently, no Australian law criminalises the act of arriving in Australia without a valid visa for the purposes of seeking asylum.³

Opposition leader Tony Abbot responded to the damage made to property at Villawood by stating that 'it's completely unacceptable and people who are responsible... should not be given permanent residency.'⁴ Immigration Minister Chris Bowen agreed with Abbot's sentiments as he vowed to deny a permanent visa to asylum seekers convicted of a criminal offence. While damaging property is no doubt a criminal act, the notion that genuine refugees who have fled persecution should be denied protection for detention centre misbehaviour is an extreme overreaction and possibly a breach of the Refugee Convention.⁵ More importantly, the 'violence' committed by a small number asylum seekers must be placed in the larger context of the harsh conditions of long-term detention.

¹ Michelle Grattan, 'Process refugees faster: senator,' *SMH*,

<http://www.smh.com.au/national/process-refugees-faster-senator-20110427-1dwwz.html>, 28 April 2011.

² UNHCR, Convention and Protocol Relating to the Status of Refugees, <http://www.unhcr.org/3b66c2aa10.html>, p. 31.

³ Janet Phillips, 'Asylum seekers and refugees: what are the facts?' Parliamentary Library of Australia, <http://www.aph.gov.au/library/pubs/bn/sp/AsylumFacts.pdf>, 14 January 2011, p. 3.

⁴ 'Rioting detainees not welcome,' *Ninemsn*, <http://news.ninemsn.com.au/national/8239947/rioting-detainees-not-welcome-abbott>, 21 April 2011.

⁵ Mark Dodd, 'Refugee laws may breach UN convention,' *The Australian*, <http://www.theaustralian.com.au/national-affairs/refugee-laws-may-breach-un-convention/story-fn59niix-1226045881609>, 28 April 2011.



MYTH: Asylum seekers are treated to the 'good life.' The situation in detention is better than ordinary Australians.

FACT: The recent rioting and protests by asylum seekers are acts of desperation arising from the conditions of detention. Contrary to popular opinion, asylum seekers do not 'live the good life'.

The catastrophic mental health consequences associated with the uncertainty of long term detention have been confirmed by multiple international studies. As UNSW clinical psychologist Dr Zachary Steel explains, 'there is something about taking people who have committed no criminal offence and keeping them confined and under the control of other people that eventually breaks them.'⁶ Experiences of torture and trauma, worry and guilt about family back home and the threat of return to a country where your life is in danger all compound to progressively break asylum seekers down.

Over-crowding creates the sense of being treated like an object, like a number, not like a person or human, and the length of time taken to process refugee applications only fuels the frustration among the detainees who feel that no one understands or listens. Self-harm rates in detention have sky-rocketed recently and there have been five suicides in the past seven months alone. Clinical psychologists are still treating children and parents today from the trauma they suffered in detention during the Howard government a decade ago.⁷ Far from 'living in paradise', long-term detention destroys hopes and dreams and leaves asylum seekers ghosts of their former selves.

MYTH: These people are inherently violent, they have come from violent cultures, we don't want people like that here.

FACT: The aggression displayed by some asylum seekers has nothing to do with genetics or culture and everything to do with the extraordinary stress levels of long-term detention.

While the recent riots at Villawood and Christmas Island have evoked much outrage in the media, the desperate pleas for help over the months and years have not evoked nearly as much publicity. Asylum seekers have been engaging in peaceful hunger strikes and protests for months on end but no one in power appears to have been listening. For example, after witnessing the suicide of a Fijian national, hundreds of detainees at Villawood went on hunger strike in late 2010, yet their pleas for help went unanswered.⁸ In another instance in January 2011, hundreds of Afghans staged a peaceful protest by going on hunger strike at Curtin Detention Centre, with some of the protesters collapsing from exhaustion.⁹ Once again, their plight was ignored.

There have also been endless government reports and inquiries into the disastrous conditions inside Australia's detention system. Back in 2008, the Human Rights Commission called Villawood Detention Centre a 'disgrace' after undertaking an official inspection of the facility. They called upon the centre to be 'scrapped and replaced.'¹⁰ More recently, on the 3rd of February 2011, the ombudsman released a scathing report on Christmas Island, describing it as 'unsustainable' and called for an 'overhaul in the assessment of applications.'¹¹ Two months later, after no reaction by the government, Christmas Island erupted into protests and riots. The fact is that asylum seekers have been constantly ignored. The resort to violence by some is best understood as a desperate attempt to be heard.

⁶ Glenda Kwek, 'Mad for freedom, detained to breaking point: experts explain how minds snap at Villawood,' *SMH*, <http://www.smh.com.au/national/mad-for-freedom-detained-to-breaking-point-experts-explain-how-minds-snap-at-villawood-20110427-1dwdc.html>, 27 April 2011.

⁷ ABC interview by Leigh Sales with Professor of Psychiatry Dr Louise Newman, 'Immigration Detention system on verge of collapse,' <http://www.abc.net.au/lateline/content/2010/s3011845.htm>, 14 September 2010.

⁸ Karen Barlow, 'Second suicide sparks Villawood protest,' *Lateline*, <http://www.abc.net.au/lateline/content/2010/s3068294.htm>, 16 Nov 2010.

⁹ Josh Jerga, 'Fears for asylum seekers on hunger strike,' *News.com.au*, <http://www.news.com.au/breaking-news/fears-for-asylum-seekers-on-hunger-strike/story-e6frku0-1225991922130>, 20 January 2011.

¹⁰ 'Calls to 'scrap and replace' Villawood,' *Amnesty International*, http://www.amnesty.org.au/refugees/comments/calls_to_scrap_and_replace_villawood/, 16 January 2008.

¹¹ 'Ombudsman slams Christmas Island centre,' *ABC News*, <http://www.abc.net.au/news/stories/2011/02/03/3128483.htm>, 3 Feb 2011.



MYTH: Asylum seekers are the primary aggressors.

FACT: While acknowledging and condemning the violence to property committed by some asylum seekers, the most grievous acts of violence have been largely ignored. The damage caused to property by asylum seekers is incomparable to the damage caused to human beings by Government policy. Just take a sample of incidences of violence over the past seven months.

In October 2010, it was reported that the number of self-mutilation cases quadrupled over the previous year. A child detainee in Darwin slashed his wrists after complaining of his 'brain exploding' while various experts warned of the ballooning mental health crisis.¹² In the same month, Amnesty International reported that the mental health of asylum seekers warehoused on Christmas Island was rapidly deteriorating. They held 'grave fears' for the detainees of which at least half a dozen had attempted suicide or self-harm. 'It didn't take long to talk to some of these guys before they literally broke down in tears,' said Dr Graham Thom, Ammesty's refugee coordinator.¹³

There was no outrage at this violence.

On 16 November 2010, a 41-year-old Iraqi teacher named Ahmad Al Akabi committed suicide at Villawood Detentin Centre after his application had been rejected twice. After 12 months in detention he was desperately homesick and became overwhelmed with guilt about his wife and three young daughters. Three days later, on the 19 November, news broke that 10 people seeking asylum who sewed their lips together on Christmas Island in protest at delays in the processing of their refugee claims. Less than a month after that, an asylum seeker was taken to hospital after an 'attempted self-harm incident' in Darwin.¹⁴ Altogether, not including hunger strikes, there were 182 incidents of self-harm by detainees between July 1 last year and February 4 this year.¹⁵

There was no outrage at this violence.

On March 29 2011, 20 year old Miqdad Hussein, after believing his claim for permanent protection had been rejected, went to his room and hung himself.¹⁶ On April 8, 2011, an Afghan asylum seeker was hospitalised after attempting to take his own life. He had been in detention for 19 months and attempted suicide at least twice before.¹⁷ On April 18, 2 days before riots erupted at Villawood, two asylum seekers were rushed to hospital after trying to hang themselves at Perth's Airport Detention Centre.¹⁸ There have been six deaths in seven months in detention - five by suicide.¹⁹

There was no outrage at this violence.

MYTH: Australian's should be concerned about the violence displayed at Villawood.

FACT: The 'riots' at Villawood have been blown out of proportion and grossly taken out of context. Tragically, the reality is that the vast majority of violence by asylum seekers has been self directed. The origin of the violence is Australia's policy of mandatory detention. It is the policy of detention committed by the government towards asylum seekers that Australians should be seriously concerned about.

¹² Yuko Narushima, 'More detainees turning to self-harm,' *SMH*, <http://www.smh.com.au/national/more-detainees-turning-to-selfharm-20101003-162q7.html>, 4 Oct 2010.

¹³ Meredith Griffiths, 'Asylum seekers 'starting to break' in detention,' *ABC News*, <http://www.abc.net.au/news/stories/2010/10/14/3038149.htm>, 14 Oct 2010.

¹⁴ Eleni Roussos and Lucy McNally, 'Asylum seeker treated after self harm attempt,' <http://www.abc.net.au/news/stories/2010/12/10/3089988.htm>, 10 December 2010.

¹⁵ Debbie Guest and Paige Taylor, 'No surveillance for Australia's fatal shore,' *The Australian*, <http://www.theaustralian.com.au/news/nation/no-surveillance-for-our-fatal-shore/story-e6fgr6nf-1226031000450>, 31 March 2011.

¹⁶ 'More deaths to come in detention centres,' *News.com.au*, <http://www.news.com.au/breaking-news/more-deaths-to-come-in-detention-centres/story-e6frku0-1226030279818>, 29 March 2011.

¹⁷ Adam Gartrell, 'Asylum seeker in hospital after self-harm,' *SMH*, <http://news.smh.com.au/breaking-news-national/asylum-seeker-in-hospital-after-selfharm-20110408-1d7nk.html>, 8 April 2011.

¹⁸ Phil Hickey, 'Two asylum seekers attempt 'self-harm' at airport Detention Centre,' *News.com.au*, http://www.news.com.au/two-asylum-seekers-attempt-suicide-at-airport-detention-centre/story-e6fgr13u-1226040848142?from=public_rss, 18 April 2011.

¹⁹ Pamela Curr, 'They survived rape and torture ... will they survive Australian detention?', *ABC Drum*, <http://www.abc.net.au/unleashed/45750.html>, 30 March 2011.