
TRANSCRIPT OF PROCEEDINGS

REFUGEE REVIEW

TUESDAY 26 SEPTEMBER 2006

INTERVIEW CONDUCTED BY: CECILIA WINKELMAN

INTERVIEWEE: IDA KAPLAN

1 MS WINKELMAN: My name is Cecilia Winkelman. I'm conducting an
2 interview with Ida Kaplan. Today is Tuesday 26 September
3 2006. This is Melbourne, Victoria, Australia. Ida would
4 you like to introduce yourself please?

5 IDA KAPLAN: Just with my name?

6 MS WINKELMAN: Just with your name.

7 IDA KAPLAN: I'm Ida Kaplan.

8 MS WINKELMAN: Ida perhaps you could start by saying how you
9 came to be sitting here giving this interview.

10 IDA KAPLAN: I've been aware of the project for some time. In
11 fact, I've been involved in talking about ways to conduct
12 the interviews and one of the things that I was interested
13 in conveying to people organising the project in fact, was
14 that I felt that people probably had experiences that they
15 may not be able to talk about during a live interview.
16 I work with torture and trauma survivors who are refugees
17 as well as asylum seekers or people with Temporary
18 Protection Visa holders. I understand that some of the
19 work experiences that people have are very difficult to
20 talk about, even when they're not being filmed. So, I was
21 anticipating that there would be issues about disclosure
22 for a public record. As a result, I was keen to talk in
23 general terms about what I felt and the impact of
24 detention was on people's wellbeing, particularly
25 psychologically and socially.

26 MS WINKELMAN: Could you say something about the issues that
27 you were concerned about and then talk about the impact?

28 MS KAPLAN: The issues have changed in focus over the years.
29 During the time when many people were being held in
30 detention, there were a lot of issues that were arising
31 around the nature of that detention environment and the

1 deleterious affect it seemed to be having on people. I've
2 been able to see people after they've left detention and
3 one can observe the longer term affects of detention and
4 I think it's important to understand as fully as possible
5 not just the immediate effects, but the long term effects.
6 These of course vary with the nature of people's
7 experiences in detention, as well as the nature of
8 experiences they've had before they came to be in
9 detention.

10 MS WINKELMAN: And you were mentioning the psychological
11 impact?

12 MS KAPLAN: There is a range of psychological impacts which
13 range from an escalation of fear, in response to being in
14 an unsafe environment. Detention may be initially safe
15 but it becomes unsafe over time, because it represents
16 complete uncertainty about the future, as well as ongoing
17 separation from family members in most cases. So, fear
18 and anxiety about the future is a very important effect.
19 Probably, I think the most potentially long term
20 devastating effect arises from a loss of trust and faith
21 in an environment such as Australia's, to provide what no
22 doubt would've been anticipated as haven. If we look at
23 the countries from which most people come such as Iraq and
24 Afghanistan. I think it takes little imagination to
25 consider what those people have fled, even without knowing
26 the details of their history, given the circumstances and
27 conditions in those countries over a long period of time.
28 We are very well aware of very difficult situations of
29 hardship, if not outright and torture and persecution that
30 has occurred. And when you seek a haven from those
31 experiences and are met with disbelief or mandatory

1 detention, then this has a very humiliating and degrading
2 effect, as well as an effect on trust in people. So, one
3 can mitigate those effects, that's why it's extremely
4 important to have supporters and people who have made
5 contact with people in detention. I think that contact
6 from people who are interested in them as people, is a
7 vital factor influencing the long-term course of people's
8 psychological health.

9 MS WINKELMAN: You're wanting to make a contribution to this
10 project. Can you say more about that motivation of what
11 you're wanting to contribute?

12 MS KAPLAN: I think it's important to understand the impact of
13 detention from a psychological perspective, which is
14 somewhat deeper, or calls up the need to interpret what
15 people say or go beneath the surface. Because as
16 I mentioned earlier in the interview - people will not
17 necessarily articulate the impact in full and I think it's
18 important to do justice to the experience. Not that
19 I claim to have more ability to describe the impact.
20 I think people's voices themselves are very powerful but,
21 I suppose I do want to offer some analysis of the impact
22 in terms of fear, impact on long-term relationships,
23 impact one's sense of self esteem and worth as a human
24 being.

25 MS WINKELMAN: Can you say more about that; you mentioned, go
26 beneath the surface?

27 MS KAPLAN: Yes, one of the things that a lot of people have
28 talked about is the impact on family relationships of
29 being in detention. Many families arrived into detention
30 as families, whereas many other people who have been in
31 detention have come as single people and there are a whole

1 range of families, who are actually separated whilst in
2 detention. So, there were cases, for example, of perhaps
3 a wife or a brother or a sister being Nauru and the other
4 member of the family being in Australia. And there was no
5 possibility of being reunited until decisions had been
6 determined about their refugee status and even once
7 decisions had been determined, it wasn't automatic that
8 someone for example in Nauru would come to Australia. So,
9 there were a range of circumstances around separation and
10 my experience is, that people rarely seek a haven from
11 persecution without thinking about the wellbeing of all
12 their family members. So, delays to being recognised as a
13 refugee and then delays in the possibility of reunion, as
14 a result of the nature of the Temporary Protection Visa,
15 means that people have an experience of failure about
16 being able to protect their family members. That has an
17 ongoing impact of inflicting further humiliation, which is
18 internal, rather than externally created. So, there are
19 many aspects of the detention experience, which are
20 humiliating. But I think what really affects people in
21 the long term is their sense of humiliation which they -
22 or failure that they carry from within. The other aspect
23 I've seen of the way in which families have been affected
24 is the way parents suffer terribly when they're in
25 detention with their children. So, I've observed this
26 close hand in working with a family where two young
27 children were in detention and there were many factors
28 causing a mother and father distress. But probably the
29 worst was having to wake up every day to their children in
30 detention and their children asking why they were there.
31 I also spent time with the children to support them

1 psychologically and help cope with the experience and they
2 would say things such as, well, we must be bad if we're in
3 detention because only bad people get put in prison. So,
4 how do you actually make sense of that experience for
5 children, because it's actually not comprehensible to
6 adults either, it doesn't make any sense. One normally
7 associates the deprivation of liberty with a sentence for
8 a criminal offence. So, being held in conditions where
9 liberty has been, is deprived to you, then parents have no
10 way to explain that to their children. So, that's one
11 aspect of the way in which parents feel that they've
12 failed. The other is that in the detention environment,
13 they have no control over what they feed their children or
14 when they feed their children. That lack of control over
15 what it is essential to family functioning, has a
16 devastating impact on parents. Certainly, being released
17 from detention is absolutely vital in making a difference.
18 I think there's a lot of information around as to why
19 children shouldn't be in detention and, thankfully, for
20 people in Australia, children are no longer held in the
21 conditions they once were. But nevertheless one has to
22 address the impact of the time in detention. Which, in
23 some cases, was upwards from one year, two years, three
24 years and even longer.

25 MS WINKELMAN: How long was it for the family you mentioned?

26 MS KAPLAN: Almost two and half years.

27 MS WINKELMAN: When they were released what happened to them
28 when they left?

29 MS KAPLAN: They often talked about detention and that was
30 partly because my role was in fact to assist them deal
31 with the impact of detention and they certainly celebrated

1 their release from detention. But even to this day and
2 some four years have gone by, they are trying to make
3 sense of why it happened. They can't, although one of the
4 things we talk about is the nature of the political
5 context and, what happened to them, isn't a result of
6 anything they did per se, apart from trying to achieve
7 protection in Australia. They arrived at a time when
8 detention was mandatory and the environment wasn't
9 sympathetic.

10 MS WINKELMAN: That was one family that was able to stay
11 together though, while they were in detention?

12 MS KAPLAN: Yes, that was right and they did have each other,
13 although the parents really were not functioning very
14 well, in terms of their psychologically state, and it's
15 difficult to talk about them in detail because I'm aware
16 of issues of confidentiality. But I have observed in
17 other parents as well, that the detention leads to them
18 being depressed and very distressed or in constant pain,
19 as a result of a variety of psychosomatic symptoms, and
20 their relationship with their children actually changes.

21 MS WINKELMAN: How did you see it change?

22 MS KAPLAN: In order to cope with detention some people
23 withdraw. Probably, that's the most common response and
24 emotional withdrawal, in order to cope with really a total
25 lack of freedom and lack of control over one's
26 environment. People withdraw in order to cope with anger
27 and frustration and from having so little to do and that's
28 a normal coping mechanism. That's the way a lot of people
29 cope with distress and being in circumstances that you
30 have no control over. But in order to withdraw from your
31 environment, in order to cope with that environment you

1 also withdraw in your relationships and that affects
2 relationship between parents and children. That's why
3 I think so many people have been interested in ensuring
4 that children had meaningful activity in detention, not
5 just to promote their rights for opportunity and ensuring
6 that their developmental pathways were unduly curtailed.
7 But it was also a way, I think, to compensate for probably
8 the lack of normal stimulation and nurturance they would
9 have received from their parents. So, the family
10 relationship was terribly degraded under the conditions of
11 detention.

12 MS WINKELMAN: For this particular family, you did see the
13 parents withdrawing, both parents withdrawing from the
14 children emotionally?

15 MS KAPLAN: Well, actually I think they were exceptional in
16 their efforts to maintain a relationship. But the
17 children certainly picked up on their parents distress and
18 what's also common for children is that they will take
19 responsibility for looking after their parents. So,
20 there's a great burden that's placed on children, to keep
21 their parents going and I think that's been a factor in
22 some children's - - -

23 MS WINKELMAN: Did you see that happening?

24 MS KAPLAN: - - - poor psychological state. I did not have
25 much personal experience of watching children look after
26 their parents. But I've actually seen it, in a context of
27 refugees who arrive in Australia with Visas for permanent
28 residency and so the issue of detention isn't in the
29 forefront, but people have been affected by their
30 experiences of torture and trauma and I've seen many cases
31 of those dynamics being manifest then. Where parents have

1 difficulty in coping in this case, with previous
2 experiences of torture and the children put on a very
3 brave face and look after their parents. But you also see
4 children not coping at all with that situation. So, there
5 is tremendous variation in people's coping strategies.

6 MS WINKELMAN: Can you say how this particular family - the
7 children weren't coping?

8 MS KAPLAN: They were very expressive, and I think that helped
9 a lot, that they could talk about their experience and
10 they had a lot of supporters and that was critical.

11 MS WINKELMAN: From outside or from within?

12 MS KAPLAN: From outside, certainly not from within.

13 MS WINKELMAN: Who were these supporters?

14 MS KAPLAN: Well, supporters in the sense. I mean I've
15 provided psychological support. That was professional
16 support so that provided the means by which the children
17 could express themselves. So, we used methods of play and
18 story telling, and I can't go into detail about some of
19 their supporters, because I think that would potentially
20 identify the family. But they were from the community and
21 of course this included their professional links were very
22 important as well. So, their links with their lawyer
23 I remember as being very important.

24 MS WINKELMAN: The children have a relationship with the
25 lawyer, would talk to the lawyer?

26 MS KAPLAN: That's right, you were talking about the children.
27 They were aware of the lawyer and that he was working to
28 achieve release from detention. Yes, the children did
29 have a sense of the lawyer being interested in their
30 wellbeing and that had a big effect on reducing their
31 sense of isolation.

1 MS WINKELMAN: When this family left detention you mentioned
2 they celebrated. What did they do to celebrate?

3 MS KAPLAN: Basically, people who knew the family celebrated
4 with them over food. It was very significant to
5 participate in really the first meal, after being released
6 from detention and everyone was acutely aware of what it
7 meant to choose what you were going to eat and travel to a
8 restaurant freely.

9 MS WINKELMAN: Over a meal at a restaurant or I was wondering
10 who prepared the food?

11 MS KAPLAN: Yes, yes it was at a restaurant.

12 MS WINKELMAN: Can you say how the family's adjusted since
13 then?

14 MS KAPLAN: This family, like other families I know, really
15 waited for the review of their Temporary Protection Visa
16 and they were in limbo for several years, until they got
17 their permanency. Again, it's hard to talk about a family
18 in particular, so I need to speak more generally about
19 other people and families in that situation. That you
20 can't achieve any sense of security if you know your visa
21 is going to be reviewed to protection application rather.
22 Has to be made again with no knowledge of the outcome and
23 that process of reapplying, was extremely anxiety-
24 provoking for people and brought back usually traumatic
25 experiences pre-arrival. Because anticipating failing to
26 get protection, meant the possibility of return and in
27 anticipating return, it's experiences associated with the
28 country of origin that become alive again in people's
29 minds. They're always there but there's renewed
30 stimulation and traumatic events become almost relived
31 rather than nearly remembered, in circumstances of fearing

1 return.

2 MS WINKELMAN: Can you say about this family, were they able to
3 maintain contacts with people back in their country of
4 origin?

5 MS KAPLAN: It was dangerous to do so and, again, it's
6 difficult to explain the circumstances around that because
7 of potentially identifying the family. But contact was
8 very, very limited. There was some capacity for telephone
9 contact but that is not straightforward in some countries.

10 MS WINKELMAN: So, you were talking about how this family has
11 adjusted and was saying that in waiting for their
12 permanent visa, each time they applied for an extension of
13 the temporary visa, it would reawaken for them the pre-
14 arrival experience?

15 MS KAPLAN: Yes there there's only one application that's made,
16 so on being granted a temporary protection visa. You can
17 apply for a permanent protection visa, but not for three
18 years. So there is one application, so there's a period
19 of not being able to do anything about permanency for at
20 least three years. But 'til processing occurs again and a
21 decision is made, it's sometimes been up to five years
22 since people were released from detention. So that period
23 of time during which they're living in uncertainty, is
24 very long and for people who've got family members left
25 behind it's extremely painful. There's a very diverse
26 group of people who have been in detention. I've also
27 been, I've also worked with people who have been in
28 detention a very long time.

29 MS WINKELMAN: How long?

30 MS KAPLAN: Up to four years and on their release, with the
31 spectre of another three years at least before they might

1 be reunited with families, they aren't doing very well.
2 The mental health impact of that period of time of
3 separation and not knowing if you will be reunited is, has
4 a terrible impact. It produces very severe depression and
5 to the point where even people do have work rights under
6 temporary protection visa status, they can't necessarily
7 work. Although in other cases, work is the only thing
8 that just keeps people going and gives them some structure
9 and direction. But not everyone is capable of working and
10 what begins to happen is, when the period of separation is
11 very long, even where people can make phone calls. They
12 have children at the other end asking them why they can't
13 see them and people I've spoken to, describe how the
14 children and the wives, in the case of males, who don't
15 believe that the person's trying.

16 MS WINKELMAN: These children and the wives are in the country
17 of origin?

18 MS KAPLAN: In country of origin or in a country they have fled
19 to for temporary safety and so people in Australia are
20 worried for their safety, but it's the actual contact
21 which is extremely fraught and I've heard some men talk
22 about wanting to call. But not wanting to call because
23 they don't know what to say anymore about the situation
24 and it is very difficult to explain, what the nature of
25 the visa and what's happened and why. Again, it's not
26 comprehensible. People assume if their relative is in
27 Australia, it must be possible to find a way for them to
28 be reunited. So it's the inexplicable nature of it, which
29 then I think damages relationships and a lack of trust
30 develops within a family and I've seen men simply lose the
31 words for explanation. They don't know what to say and

1 how to say it.

2 MS WINKELMAN: Okay.

3 MS KAPLAN: (Indistinct) stops.

4 MS WINKELMAN: Can you say whether one of these families you're
5 speaking about now, where it's gone for so long the
6 uncertainty, whether you've seen them able to reunite with
7 the family at the end.

8 MS KAPLAN: I'm trying to think. The people I'm thinking of
9 are still not reunited but, yes, I can think of a family
10 where there was a reunion after about five years.

11 MS WINKELMAN: Where the family came from, the country they had
12 fled to?

13 MS KAPLAN: Yes and that was fantastic of course, but it
14 certainly it still meant that the person involved had to
15 continue receiving intensive psychological support. He
16 had developed in detention a very severe depressive
17 disorder with prominent symptoms, characteristic of post
18 traumatic stress disorder and he had recurrent nightmares
19 and intrusive memories of events that had occurred before
20 arrival in Australia. But in this particular case, some
21 of the trauma had occurred in detention, but again it's
22 very difficult to describe the nature of those events in
23 detention but there were events that were traumatic for
24 him in detention.

25 MS WINKELMAN: When he was reunited with his family, how did
26 the adjustment proceed?

27 MS KAPLAN: I think there's been a gradual process of
28 rebuilding. I think it's very important that people are
29 involved in facilitating opportunities for employment and
30 housing, from people who recognise what the difficulties
31 are. So that it's not just a practical task to assist

1 someone with housing, but it's carried out with a sense of
2 understanding of what people are carrying. I suppose I'm
3 talking about a fundamental way of showing respect and
4 understanding, for people who've undergone many hardships
5 and humiliating experiences and I think that's what makes
6 a difference. So that I'm hopeful for the future in this
7 particular situation, because this family is surrounded by
8 not just professional help which is critical to continue
9 but also there is very strong support from members of the
10 community.

11 MS WINKELMAN: And you're aware of people treating, the father
12 of this family with respect and with understanding?

13 MS KAPLAN: Very much so.

14 MS WINKELMAN: Right. Are you able to describe something about
15 that?

16 MS KAPLAN: I think one of the things that's often invisible
17 about people's experience and it's impact, is the toll it
18 takes on everyday life. So that for example, if someone's
19 very depressed, it is difficult to get out of bed and to
20 get going and again part of that, is a result of the
21 adaptation of having no reason to get up. Particularly
22 under circumstances of long detention and it's very easy
23 for people in a support role to come up with all sorts of
24 things for a person to do, on the assumption that they
25 will feel better. On the one hand that's true, activities
26 are important and involvement is important. But it's very
27 important to pace that involvement, or to be reasonably
28 close to where someone is at, in terms of their readiness
29 to do things and introduce activities or things that
30 people can participate in which are gentle. So it may be
31 going for a walk rather than going to a function where

1 there are lots of people, so it's respecting someone's
2 readiness to socialise. I think one of the interesting
3 complications which sometimes arise, is people's readiness
4 to take up educational opportunities. So some people
5 can't wait to get to school, for example, after they've
6 been released from detention and then discover that it's
7 difficult to learn again. Because of that numbing which
8 has occurred in order to cope, as well as interference
9 with concentration, through sleeplessness or post
10 traumatic stress disorder symptoms. So it's important to
11 adapt expectations around education, to make allowances
12 for changes in the ability to learn. So it's crucial to
13 have that opportunity but it's also crucial to make
14 allowances and sometimes people can't attend and sometimes
15 people are their own worst enemies. Actually, not
16 external expectations which is the issue, it's their own
17 expectations. Because they have to make up for what
18 they've missed out on and they can't learn enough, fast
19 enough, so one has to assist people in also allowing or
20 facilitating them to allow for the fact that it's going to
21 take time. So it's a juggling act, between providing
22 opportunities but adjusting these expectations.

23 MS WINKELMAN: Can we go back for a moment, to the separation
24 issue you spoke about earlier. Where there was a member
25 of a family on Nauru and other members of the family also
26 in detention but in the mainland. There was a family you
27 referred to who were separated and you alluded to the
28 uncertainty that they experienced in that time. Could you
29 speak a bit about how that family managed.

30 MS KAPLAN: Well, I actually did not have contact with them
31 once they were reunited. I had contact with the husband

1 who was in Australia, whilst his wife was on Nauru and he
2 was actually a suicidal client. That he found the
3 separation unbearable, but there was more to it than that.
4 We're in a very privileged situation, being able to have a
5 professional relationship with people which leads to a
6 deep knowledge of experiences pre-arrival and, again,
7 I cannot describe the nature of those pre-arrival
8 experiences for reasons of confidentiality. Even though
9 without using names there is still that potential for
10 perhaps identifying people. But, as a result of that
11 professional relationship, it emerged that his pre-arrival
12 experiences had been characterised by extensive loss. By
13 that I mean very close family members had been killed and
14 that had produced so much grief, which he had never really
15 been able to deal with because he was always in a
16 situation of flight. And that also, he fled placing the
17 family at risk and his wife fled after he did and that's
18 why she - they didn't leave together. Which isn't that
19 unusual, there are family members who didn't leave at the
20 same time. As a result of the grief he'd experienced in
21 his country of origin, which had occurred as a result of
22 persecution and deliberate targeting - being faced with
23 ongoing separation from his wife who had also undergone
24 terrible experiences, filled him with such an utter sense
25 of hopelessness, that he really did not wish to live.
26 It's hard to gauge how common this is because I think no
27 one has had the opportunity to do a systematic, sort of,
28 undertake a systematic look at people who had been in
29 detention for a long period of time. So, I am speaking
30 about particular people. But I know from my work with
31 torture and trauma survivors in general, that people are

1 at very high risk of committing suicide, when they've lost
2 people very close to them and wish to join them. So the
3 impulse to kill themselves, is driven by "I wish to be
4 reunited" even with people who've died, and that's
5 preferable to the pain of endless isolation. So in my
6 work, that is part of what constitutes a risk assessment
7 for suicide. Is an exploration of previous losses and
8 that impulse to be reunited, which is never articulated by
9 people. They would not talk about, in these terms,
10 although they would talk how they wanted to be with a
11 child who'd been killed for example and that's when you
12 begin to recognise that impulse, combined with despair
13 about lack of future, is a dangerous mixture. So, there
14 are of course situations like that but I couldn't say how
15 many such cases, we really don't know. But, if you
16 analyse the causal factors for suicidal urges in those
17 circumstances, you would imagine there's quite a lot of
18 people who felt that way. Again, what mitigates it, is
19 support. One literally stays very close to someone who is
20 suicidal in that way and it's extremely important to
21 maintain hope. Very important I think, in a professional
22 role or in a volunteer's role, is to convey hope even
23 though despair is rather catchy at times.

24 MS WINKELMAN: This particular family didn't have children.

25 MS KAPLAN: Yes they did. They did and, therefore, I think

26 typical of many other families who had children. Again,
27 if you look at the nature of pre-arrival experiences and
28 who is in a family and who is not in a family, then you
29 discover that it's very typical for close family members
30 to be missing or have been killed. But this information
31 is only - comes out when you have a very close

1 relationship with somebody and, generally speaking, this
2 is one of the reasons why I want to do this interview.
3 Generally speaking, my experience was that very few people
4 who had been in detention and then were released on
5 temporary protection visas, would talk about their
6 experiences pre-arrival. Now I think from a cynical
7 perspective, which might be that of a decision maker
8 needing to determine if someone is a refugee, or is a
9 refugee or not - I think that lack of disclosure is
10 somewhat damning. It is suggestive that perhaps they
11 haven't actually undergone experiences of persecution.
12 But in my experience what people have been through,
13 particularly when it relates to loss and death, especially
14 of children, that the guilt is such that they won't speak
15 about it. The other complicating issue there, is a child
16 may have died as a result of lack of medicine or hardship
17 in the country of origin or may have been killed as a
18 result of some other act of violence. So the cause of
19 that child's death, is the circumstances in the country
20 and have been beyond the parents control. But there is no
21 parent who doesn't take responsibility for the loss of a
22 child. So, sometimes the factors that would contribute in
23 fact to their protection claim, are never expressed,
24 because they believe they caused it in some way, through
25 neglect or never having done enough. It's parallel to
26 what you would see in grief in any parent, I'm not just
27 talking about parents with a refugee background. Any
28 parent who has lost a child will take responsibility.
29 There may be anger at systems and what people didn't do
30 but inside they blame themselves. So parents of a refugee
31 background are the same and that leads to, I think a lack

1 of disclosure of the full circumstances in which they
2 lived. Because without qualification, any person with a
3 refugee background has had to do things which they feel
4 guilty about and which they feel shame about. Every act
5 of fleeing means leaving people behind who are in danger.
6 Who to take with you, who to leave behind, there is no
7 decision that can really be right. There is always loss
8 and something wrong about the decision, because it leaves
9 other people vulnerable. So that guilt leads people not
10 to talk about their experiences, as well as outright
11 concerns for people being reluctant to describe how they
12 may have procured or obtained the ability to leave a
13 country of origin, say through people smugglers. I mean,
14 it's - people aren't going to freely talk about situations
15 that might jeopardise family members left behind. Because
16 you're not, it's not considered safe to talk about such
17 things. So, that's one issue, which I think has got quite
18 a lot of public acknowledgment, but I don't think there's
19 necessarily much visibility around what can't be said for
20 reasons of traumatic loss. The other reason that people
21 cannot say what they've been through, is where it involves
22 torture or human rights violations, such as rape. One of
23 the problems is with the use of the word "torture" rape is
24 an act of torture as well. But, people aren't going to

25 MS WINKELMAN: Shall we carry on there's just five minutes left
26 on the tape.

27 MS KAPLAN: People, people don't talk about their - people
28 don't talk about the worst of their experiences because
29 of, because of shame and, again, people who have been
30 tortured have often been forced to disclose things that
31 may have jeopardised a colleague or a friend or a fellow

1 political activist. So, people aren't going to talk about
2 experiences where they feel they have betrayed somebody.
3 Even if it means that it will contribute to their
4 protection claim and I have also heard torture survivors
5 talk about it being a - it feels like a violation to tell
6 somebody what you have experienced, if you're not going to
7 be believed. So they are reluctant to communicate their
8 story as well. My observations of people who have been in
9 detention, is because they were so surprised by mandatory
10 detention and the conditions to which they were subjected
11 under detention, that their view of not being believed was
12 extremely solid. They didn't expect to be believed and
13 therefore they would hold back. In fact I do remember a
14 woman we worked with who was, well, in lay terms a total
15 mess. She, I don't know how she got through the day.
16 I almost felt she had to go back, to be reunited with her
17 children, because she had a very agitated grief reaction.
18 So instead of being numb, she was just constantly thinking
19 about her child and was, yes, extremely agitated and very
20 difficult to contain. Because we had known her for a long
21 time, we would have contributed a psychological report to
22 the review of her next application for protection visa.
23 Even though we knew her really well, we could not elicit a
24 history of what had happened to her and we knew that her
25 state wasn't - was of course caused of the ongoing
26 separation. But we appreciated there was a lot more to
27 it. But, she wouldn't talk about it and that's with a
28 very close professional relationship. I'm glad to say she
29 did get a permanent protection visa and is, will be
30 reunited with her family but it's been a long, long time.
31 So it's - there are a lot of reasons why people can't talk

1 about the past. Just getting feelings of fear back, is
2 one of the most obvious ones, or the fear of re triggering
3 memories, is one of the obvious reasons why people don't
4 like to talk about the past. But I think the deeper
5 issues are ones of having, feeling guilty for perhaps
6 having betrayed someone, or feeling shame because they
7 have experienced something so terrible, which is
8 unspeakable and the result is that people understate their
9 experiences.

10 MS WINKELMAN: Ida, you were talking about this family that
11 were separated, one was on Nauru and one was in detention,
12 the wife was in detention here and they were reunited and
13 some of the difficulties members of this family would have
14 experienced, speaking about their experience and the pre
15 flight experience as well.

16 MS KAPLAN: Yes. I am not sure what the question is.

17 MS WINKELMAN: Well, I suppose the question is - the husband in
18 the family had a difficult time managing with the
19 separation and he didn't have contact with his wife as a
20 support. I imagine she also had her own difficulties as
21 well.

22 MS KAPLAN: Yes I didn't - I could only imagine her
23 difficulties because I didn't have an opportunity to get
24 to know his wife and I think that's what led me into
25 describing the need to have some imagination for what
26 people are feeling, when they can't actually talk about
27 their worst experiences. So where there has been loss, as
28 a result of pre arrival experiences and this is compounded
29 by loss, through separation, whilst in detention and
30 seeking protection in Australia.

31 MS WINKELMAN: Do you want to grab that?

1 MS KAPLAN: Shall I start that one again.

2 MS WINKELMAN: Yep.

3 MS KAPLAN: I didn't get to know the wife in that situation,
4 but I could imagine the impact on her as well. I think
5 that's required of us as professionals, as well as people
6 in the community who support people in this situation, is
7 to have some imagination for the degree of loss that
8 people have experienced pre-arrival as well. That loss is
9 compounded by, often very long periods of separation
10 during detention and during the Temporary Protection Visa
11 stage. I think people do realise and that's why they
12 offer their support, but it goes back to what I was saying
13 earlier, about sometimes needed to accommodate people's
14 reactions in the way of depression or lack of
15 participation. Because sometimes they want to be alone
16 with their pain and yes, again finding that balance of
17 leaving people alone, as well as engaging with them, is
18 quite a difficult one. But sometimes people a feel bit
19 obligated to participate very actively. In celebrations
20 for example, and one hand that's very important but
21 sometimes I think they want to say no and can't. So, it's
22 just an area of sensitivity to think about.

23 MS WINKELMAN: The person wanting to say no, would be the
24 former asylum seeker?

25 MS KAPLAN: Yes.

26 MS WINKELMAN: Yes.

27 MS KAPLAN: Yes.

28 MS WINKELMAN: So, you mentioned having to, kind of, be the
29 bearer of hope for this man, during some of his periods of
30 depression. The family, where are you with that hope now
31 for this family?

1 MS KAPLAN: Yes, strong, strong hope. But it takes time, it
2 really takes time and sometimes children are reunited with
3 a father most usually, but not always, and they haven't
4 seen each other for years. The children have gone through
5 all these developmental stages and it is, they actually
6 have to get to know each other and deal with that gap and
7 overcome I think, some of the distrust that developed. A
8 big burden for the father, is those feelings of guilt and
9 failure because basically he has not protected his
10 children and he will blame himself for that. So, to
11 overcome that, takes time and can only be overcome with
12 the rebuilding of the future, and children need a lot of
13 time to trust that future. Again, it's not conscious for
14 children, but if they've also spent years under conditions
15 of uncertainty and someone's promised them something,
16 which hasn't been delivered for years on end, then they do
17 internalise an expectation that something's going to go
18 wrong. That's one of the, not the biggest, but one of the
19 challenges I think for children and that it takes time to
20 alter an expectation like that. But it's very, very
21 important because it can be like an undertow in life. If
22 you've experienced what seems like abandonment from a
23 parent and, yes, the unfulfilled promise of well, I will
24 see you eventually but it doesn't eventuate for years.
25 Then children internalise a sense of uncertainty about
26 what life can provide. So, I think there's a lot of work
27 to be done in rebuilding and contributing to rebuilding
28 people's lives. For one side of the picture, is to not
29 under state the detention experience and the impact of
30 that period of uncertainty. That's one side, which is
31 very important to acknowledge, as well as address the

1 specific adverse legacies where they concern mental
2 health. But I think, regardless of obvious manifestations
3 of poor mental health, I think we're obligated to really
4 maximise our contribution to rebuilding people's lives and
5 that's the purpose of our resettlement programs. When
6 people of refugee backgrounds come to settle in Australia,
7 the purpose of that settlement is to contribute to
8 rebuilding their lives. I think it's well recognised,
9 it's not enough for people just to get here. You actually
10 have to respond to the legacy of the past, by rebuilding
11 the future and the more adverse those past experiences,
12 the more critical it is to provide experiences. So,
13 opportunities for study are extremely important but one
14 has to facilitate the financial means to study. I think
15 programs for young people about navigating their way
16 through a new culture. This is for those young people who
17 arrive after periods of separation, as well as young
18 people who have been in detention. They have to learn to
19 work out where they are and can they trust the new
20 environment. Is it a benevolent or malevolent situation?
21 I think that needs discussion and support and that's one
22 of the - well the purpose of this is not particularly to
23 talk about various programs that we run, but one of the
24 reasons we invest a lot in school-based work, is to reach
25 children, and adolescents and also young adults who are
26 never going to come forth and say I've got a problem. So,
27 one needs a way of recognising that they may have had
28 special experiences, which require expression and perhaps
29 discussion and to include other students in that
30 discussion, who haven't been through those experiences.
31 So that the wider community also has an understanding of

1 what people experience and how it gets expressed in every
2 day life and what it means for the future.

3 MS WINKELMAN: Is it WE?

4 MS KAPLAN: WE, WE is, I work for Foundation House which is the
5 Victorian Foundation for Survivors of Torture.

6 MS WINKELMAN: So, you're aware of young people in schools
7 having experiences that need to be addressed?

8 MS KAPLAN: Yes, a big part of our work, during the time of -
9 well it's current but when there were quite significant
10 numbers of children and adolescents leaving detention and
11 entering the community. We recognise importance of
12 schools being able to support those children and
13 adolescents and sometimes it wasn't known that a child or
14 an adolescent had actually been in detention, and I think
15 it was important not to separate those students from other
16 students of refugee backgrounds. So, it's important to
17 have programs that looked at their feelings about being in
18 Australia. This is for all children and young people of
19 refugee backgrounds. It's very important for them to have
20 an opportunity to express the things they like about
21 Australia, but also the things they don't like, so that
22 they can share ways of dealing with things and this can be
23 done through group programs for example. So, it was
24 important to have programs which look at children and
25 young people's journeys and how they're experiencing their
26 lives and how they might share some of their - share and
27 overcome their difficulties and meet challenges. And we
28 were very aware and through a professional development
29 activity, we paid some attention to the school environment
30 and how it might notice, which children might need some
31 extra support as a result of experiences of detention.

1 MS WINKELMAN: What kind of difficulties were you aware that
2 they were having?

3 MS KAPLAN: A lot of this is guessing, rather than hearing it
4 from children and adolescents themselves. One of the
5 things I touched on much earlier in the interview, was
6 that feeling of they had done something wrong. Because
7 they, in between they will be in prison, they must have
8 done something wrong, or their family has done something
9 wrong. So, feeling bad is one issue, the other one is not
10 being confident about the stability and continuity of the
11 school environment. So, the provision of education in
12 detention was erratic a lot of the time and not
13 sufficient, in terms of just number of hours. So, I think
14 going to school was a very for, for all the hours that
15 you're entitled to go to school, is a big bonus for
16 children and adolescents but they couldn't interpret the
17 environment they were in, because they were used to things
18 being taken away from them. People being unpredictable,
19 particularly detention officers.

20 MS WINKELMAN: In what way unpredictable?

21 MS KAPLAN: Unpredictable, in the sense they could talk about
22 there were good officers and there were bad ones and I've
23 heard some children describe being taunted by officers
24 about wanting something and not being able to get it, such
25 as food or lollies. Yes, they would be taunted, but
26 others were generous and clearly helpful. So, they have
27 this distrust of adults and you could imagine how that
28 plays itself out in a school situation. Because I think
29 teachers can be a bit unpredictable in their own way, not
30 in any malevolent way, but they can be generous and fair
31 at points. But if they're frustrated they can become

1 angry or perhaps a bit punitive in their tone. So,
2 children were very sensitive to the behaviour of people in
3 authority. So, children and adolescents coming out of
4 detention, I think needed more explanations than other
5 students did. About why perhaps a disciplinary procedure
6 was implemented, it needed to be explained. That the
7 rules, what made things happen, what didn't make things
8 happen, to build that picture of understanding. Not just
9 predictability, but actually understanding what the rules
10 of the adult world were - in Australia, outside of
11 detention. So, that's very important. Also they needed
12 to experience just outright nurturing and genuine interest
13 in their wellbeing and a sense that they mattered and this
14 was particularly important where there were still
15 difficulties at home, in the way that I talked about
16 earlier. I think adults, some adults, continued to be
17 depressed on release from detention. I'm talking about
18 longer periods of detention here and children carry that
19 burden. So, they need a place where they don't have to
20 carry a burden, which is school. They also need the
21 opportunity to play in proper conditions, as well as learn
22 and particularly so for adolescents too, because they've
23 either had little schooling pre-arrival. Or perhaps
24 interrupted, highly interrupted schooling and their
25 schooling would've been interrupted in detention. They
26 wouldn't have got the same level of input as they would,
27 other children. So, with adolescents you've got a much
28 more heady mix of distrust, adolescents as we all know are
29 what I call meaning makers. Adolescents actively strive
30 to make sense of their world. They work out what's good
31 and bad and what's fair as unfair and any adolescent is

1 really into that and can play it out at school and so
2 those issues of trust are particularly magnified I think,
3 for adolescents. So, one has to I think go out of one's
4 way, to prove that the detention environment's a peculiar
5 one. Although, that's harder during that period of
6 Temporary Protection Visa status because it's not a
7 detention environment, but it's still an unfair
8 environment and they would meet other kids of a refugee
9 background, who had the security of certainty about the
10 future. So, adolescents would have still carried with
11 them, the fact that they were different and why were they
12 being given Temporary Protection status, rather than
13 permanent. So, certain features of the detention
14 environment continue outside the detention environment, in
15 terms of uncertainty and lack of rights compared to
16 actually everybody else. The only group that certainly
17 has fewer rights are asylum seekers who haven't been
18 granted protection, or are in the process of seeking
19 protection. They face a higher degree of uncertainty but
20 TPV holders, really do still carry intense uncertainty,
21 which is a big issue for adolescents.

22 MS WINKELMAN: You said earlier that children will sometimes
23 take on the parent's burden or try to make their parents
24 lives better. How does that play itself out once they
25 leave the detention environment?

26 MS KAPLAN: I don't really know. It's a big question there,
27 about how long term are the affects of the various
28 disruptions to family relationships and I don't really
29 know the answer to that question and I think it's
30 certainly one that's very worthy of investigation.
31 Because there are several disruptions to the family. That

1 is one, children being parentified in carrying the burden.
2 The other is disruptions, as a result of one or both
3 parents suffering mental health effects, which interfere
4 with their, what would have been their normal capacity, to
5 be there for children and adolescents. The other
6 disruption is the change in roles. So for example, it's
7 often harder for men to get work than women. So, this can
8 have a profound affect on self-esteem which can be -
9 affect the capacity of the father to feel a parent and be
10 as effective a parent, as he otherwise might be. So, the
11 changing roles are at the adult end, as well as the
12 children end and I think it's an open question, to what
13 extent those effects are ongoing. And again, the answer
14 partly depends on what degree of support and educational
15 and settlement opportunities are available to people, and
16 the effectiveness of that support. So, I think it's a
17 very important thing to follow up these families, because
18 I don't know, I mean, potentially you could have permanent
19 adverse affects all the way to some outstanding coping
20 ability, because there are ways to overcome adverse
21 experiences. That's what we try and do as an organization
22 and that's what Australia as a place of settlement is
23 meant to be about for people, who arrive with visas to
24 settle. It's all about making and remaking lives, in the
25 face of terrible circumstances pre-arrival. So, I would
26 like to think and that's hope speaking, that there is
27 every possibility of great futures ahead. But it does
28 depend on opportunities and specialised assistance, where
29 people have really fallen over psychologically or socially
30 or behaviourally. I simply don't know if - the extent to
31 which that has occurred.

1 MS WINKELMAN: The programs that you're offering the schools,
2 how receptive have you found schools to offer and welcome
3 you in?

4 MS KAPLAN: Schools have been very receptive in looking at ways
5 in which they can contribute to children and adolescents
6 of refugee backgrounds, making the most of their lives in
7 Australia. Yes, so there's been a very, very high level
8 of interest.

9 MS WINKELMAN: Is there any comment you'd like to make about
10 the programs themselves, that - what happens in the
11 programs?

12 MS KAPLAN: The programs vary from group programs for
13 adolescents and children, that are composed just of
14 children and adolescents of refugee backgrounds and that
15 would include children adolescents, who received Temporary
16 Protection Visas. And some of the programs, a whole of
17 classroom programs, which would include children of
18 refugee backgrounds as well as perhaps children with a
19 culturally and linguistically diverse background, as well
20 as children born in Australia and those programs are about
21 sharing challenges and ways to overcome them. I've been
22 personally involved in one of those classroom programs and
23 they're very successful I think, at building bonds and an
24 understanding. So, students in a classroom have had
25 comments like, I had no idea other children or why other
26 students felt like that, or I thought they were stuck up,
27 or I thought they were this, and that. So, they learn
28 about each other and - so, programs that are about
29 communication, self-esteem, understanding of feelings,
30 ways to cope. They're programs that would resonate with
31 other health promotion strategies that are taken up by

1 schools. So, those programs which are perhaps integrated
2 into health curriculum, or other forms of curriculum, are
3 very valuable. The Foundation Houses developed for
4 example, a human rights group program, called 'Taking
5 Action' and that's for secondary school students and it's
6 an opportunity to talk about what are human rights. When
7 do people lose their human rights and what are the ways to
8 facilitate human rights. So, you might - I'm using
9 imagine, a lot. Those programs are a wonderful
10 opportunity for students to talk about human rights, but
11 not in an abstract way. Because it's carried out in
12 classrooms where people have experienced violations first
13 hand. So, there's a range of programs like that, but the
14 other important element is really the policy of the
15 school, in being responsive to these issues and that also
16 includes programs which engage parents, through regular
17 meetings for example, to talk about the education system.
18 It's not about talking about their experiences
19 specifically, but it's a way of demonstrating that their
20 engagement is important. Again, looking behind the scenes
21 a little bit, a parental engagement program like that,
22 that's carried out by a school is the antithesis of say
23 the detention environment. So, that's an opportunity to
24 rebuild, for those parents affected by detention, a sense
25 of trust in authority.

26 MS WINKELMAN: Could you say more about the one that you were
27 personally involved in?

28 MS KAPLAN: The classroom program, it's called kaleidoscope for
29 the classroom and it's made up of several components. One
30 of which is the journey to Australia and another component
31 is looking at feelings. When do you feel angry, when do

1 you feel fear, when do you feel happy, when do you feel
2 hope. Again, it's a means of expression and then the
3 students talk about when they feel those things. Which is
4 what builds an understanding. As well as some ideas of
5 how to feel better if you're feeling unhappy, or what to
6 do when you're angry. So, their solutions are talked
7 about but it's about building the connections amongst the
8 students and discovering what they have in common. It's
9 to highlight that children have all sorts of bad
10 experiences and good experiences. It's to, well, to make
11 the detention experience special in some way, rather than
12 necessarily just terrible. Naturally, I'm of the view
13 that detention is a terrible experience, because it can
14 only do harm, it can't do good. But then, when faced with
15 someone who's been through detention it's important to
16 find ways in which, for that harm to be reconfigured and
17 one way is to make it special. And that also helps
18 children feel a bit special rather than bad. So, talking
19 about processes of change and those programs can become
20 part of the school, because they're always co-facilitated.
21 For example, where someone from Foundation House and
22 someone from school, such as the teacher or a welfare,
23 student welfare co-ordinator. So, the idea is for the
24 school to take up the capacity to run a program like that
25 without us, which is what indeed happens. So, but those
26 programs aren't dedicated in any way to children and
27 adolescents from - with detention backgrounds. They were
28 developed for children and adolescents from refugee
29 backgrounds. Which includes, children who have been in
30 detention and the extent to which those children and
31 adolescents are present in a classroom, depends on the

1 area of settlement. I know that this is talking about and
2 thinking about another sort of group program, which has
3 nothing to do with the school environment. We've been
4 involved in group programs for young adults that have been
5 around - again they'd been around welcome and rebuilding
6 trust but the actual activity has say for example,
7 involved learning to cook. Which has been a great thing
8 to do for young men who have left detention that haven't
9 necessarily - they have done amazing things to survive but
10 they don't necessarily know how to cook. So, I know we
11 ran I think a great program one year, with young men all
12 of whom had been in detention, around cooking. So, that
13 was important as a life skill but, again, it was a way of
14 them sharing in rebuilding their lives again, and there
15 was fun associated with that too and, you know, going to
16 football matches. I remember was something that that
17 group did and that sort of participation is really
18 helpful.

19 MS WINKELMAN: Can you say how you, personally, have been
20 affected by your work with people in detention?

21 MS KAPLAN: That's a hard question. In terms of actually
22 speaking for myself, I have found it difficult, in the
23 sense that it's difficult to watch a mandatory detention
24 policy being enacted, which you know can only do harm.
25 Because of some people's exceptional coping strategies,
26 it's not to say that everybody's harmed and it depends
27 very much on the length of time that people are in
28 detention. But once you get into longer periods of
29 detention it can only do harm, and it's incomprehensible
30 at a certain level, that one would in act policies that
31 could do so much harm. At another level, it is

1 comprehensible in terms of political agendas, but yes it
2 fills me with anger and disappointment and I'd have to say
3 I've been very influenced by the fact that I grew up in a
4 refugee family. My parents are refugees. Australia was
5 experienced as an outstanding place to come to, which
6 brought endless opportunities for a new life. Having
7 experienced first hand the meaning of being welcomed and
8 having opportunities, which seem to represent an
9 acknowledgement of the terrible suffering that had gone
10 before - to see that for other people, that their
11 suffering isn't being acknowledged, I found extremely
12 difficult but also energising. In a sense that it makes,
13 it's made me want to look and look at those causes of
14 suffering, give them due acknowledge. Facilitate people
15 forming new lives as best as I possibly could, but I don't
16 do that alone. I do that with lots of other people and
17 that's very energising and supportive as well. So,
18 working with torture and trauma survivors, is a roller
19 coaster at any time. But one of the very strong features
20 of the environment at the moment, is that Australia does
21 have an outstanding settlement program - where we accept a
22 lot of people with refugee backgrounds to settle in
23 Australia. I think just in terms of sheer numbers per
24 capita and the type of settlement programs we have,
25 I think Australia plays an outstanding role, in
26 contributing to the rebuilding of peoples lives who have
27 suffered extreme human rights violations. Yet, that seems
28 to be totally split off, and from people who also have
29 backgrounds of horrific human rights violations. But
30 because they arrived in an unauthorised way, therefore
31 deemed bad refugees, or those derogatory terms around

1 queue jumpers. Which is a very powerful little phrase, to
2 capture that they have done something wrong and it's a way
3 of capitalizing on the public, not abiding something as
4 unfair as a queue jumper. That's sort of, try jumping a
5 queue in any circumstance and people get frustrated and
6 angry. So, it's a very effective way of really degrading
7 a whole group of people, who sought to flee their
8 countries, in order for reasons of protection. I've often
9 said on occasions when I talked about this publicly, I've
10 talked about the irony involved, in the way we award
11 honours to people for bravery, who commit acts which put
12 themselves at danger, in order to save other people. We
13 really understand that parents who risk their lives to
14 save their children, if they're not given an actual award
15 - well, they deserve them and yet we've parents who have
16 made those same decisions, as unworthy. In fact, they
17 have been blamed for exposing their children to these
18 risks. Well, there is no parent who would expose their
19 children to those risks. So, I think it's important to
20 keep working at addressing those sorts of injustices.

21 MS WINKELMAN: I think we should stop there.

22 MS KAPLAN: I just (indistinct).

23 MS WINKELMAN: Have you had any - your opportunity to make your
24 contribution, is there anything else that you would like
25 to say that hasn't been asked? Just take a moment to see.

26 MS KAPLAN: I'm glad of this opportunity to talk about the ways
27 in which I think people have been affected, so that we
28 sustain our response to people who have been in detention
29 and I think it's also very important for the record.
30 I think we should keep investing in looking at the effects
31 of detention long term, clearly to ensure that those

1 policies that can lead to people being kept in detention
2 for undue periods of time, change.

3 MS WINKELMAN: Thank you. Thank you very much Ida.

4 - - -