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TRANSCRIPT OF PROCEEDINGS

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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.

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