

# REFUGEE TRANSITIONS

A Publication of the *Service for the Treatment and Rehabilitation of Torture and Trauma Survivors*

## The Yazidi Homeland Lost to War

Issue 33

**Dangerous Times**  
*Jorge Aroche*

**A Bridge to Justice**  
*Anne Mainsbridge*

**New arrivals:  
How do we  
protect the children?**



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## **REFUGEE TRANSITIONS**

*Refugee Transitions* exists to report on a wide range of refugee and human rights issues of relevance to the work of STARTTS; to focus attention on the impact of organised violence and human rights abuses on health; to provide ideas on intervention models that address the health and social needs of refugees, to debate and campaign for changes necessary to assist refugee communities in their settlement process and ultimately bring together a vehicle for personal expression.

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Displaced people from the minority Yazidi sect, fleeing violence from forces loyal to the Islamic State in Sinjar town, walk towards the Syrian border on the outskirts of Sinjar mountain near the Syrian border town of Elierbeh of Al-Hasakah Governorate August 11, 2014.  
REUTERS/Rodi Said

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## CEO's Message



### Welcome to the 33rd edition of *Refugee Transitions*,

STARTTS is celebrating its 30th anniversary this year, and since *Refugee Transitions* first publication was shared with our friends and supporters at our 10th Anniversary event, this is also *Refugee Transitions* 20th Anniversary!

Much has changed in the world in the intervening years, yet sadly, STARTTS role remains as relevant in 2018 as it was in 1988. So does the need to communicate about these issues and about our work that resulted in the birth of *Refugee Transitions* 20 year ago and remains its mission now.

As I write these words, across northern Iraq, in places like the Nineveh Plain in Sinjar members of the Yazidi community are slowing returning back to towns and villages destroyed by war. This is a minority group that has suffered some of the greatest abuse and dislocation in Iraq's latest spasms of violence. Many are still displaced in refugee camps. Others have been accepted in different western countries. *Refugee Transitions* main feature article is dedicated to the plight of the Yazidis and the challenges they face in reclaiming their rightful place in Iraq's future.

Like Iraq, the situation in Syria is not improving. Award winning Syrian American composer Malek Jandali tells us in an interview about the important role of music in healing, in bringing people together and his dream of a free and peaceful Syria.

This issue of *Refugee Transitions* also features individuals who are excelling in their work to help refugees and disadvantaged groups, such as Violet Roumeliotis, winner of Telstra Woman of the Year Award and Victor Madrigal Borloz, lawyer and human rights activist (and current IRCT Secretary General) who has been appointed to the prestigious position of UN Independent Expert on protection against violence and discrimination based on

sexual orientation and gender identity.

At the same time feature articles such as the Bridge to Justice - building the case for an integrated legal practice provides us with Anne Mainsbridge's reflections on her time as a lawyer working with refugees within a clinical practice.

An article about the ISSHR conference identifies the key issues dominating the human rights agenda at the moment and a look into the future.

I hope you enjoy reading these and the other articles of issue 33 of *Refugee Transitions*. Each section has been specially designed to provide you with in depth coverage of the issues affecting refugees today. My thanks and congratulations to the devoted team that has made this possible over the last 20 years, and in particular *Refugee Transitions* editor Olga Yoldi, who has been involved in the production of this publication since the very beginning. We plan to celebrate this achievement at the 30th Anniversary of STARTTS on 30 November at Paradiso, 3 Barbara Street Fairfield, of course you are warmly invited to join us!

I hope to see you there!

All the best,

A handwritten signature in black ink, appearing to read "Jorge Aroche". The signature is fluid and cursive, with a large, stylized 'J' at the beginning.

**Jorge Aroche**

*Chief Executive Officer / STARTTS  
President, International Rehabilitation Council  
for Torture Victims, (IRCT)*





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Yazidi refugees live in unfinished houses.  
Photo: Christian Werner

**The Yazidi  
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## MODERN CONFLICTS

*When Islamic State militants stormed into the Yazidi heartland in northern Iraq in the summer of 2014, they killed and abducted 10,000 people in a matter of days. Four years later IS has been forced out, but thousands of Yazidi women and children are still missing and refugees cannot go home* OLGA YOLDI reports.

**F**awaz was sleeping soundly in his bed in a village in the Sinjar district of northern Iraq when his family woke him up in the dead of night and told him they had to flee. The day before had been a hot Sunday in August 2014, and Fawaz had celebrated the end of the fasting period with his family and friends. They had shared food, drinks and conversation, but the atmosphere was tense. There were rumours of an imminent attack and people shared their worst fears. A sense of foreboding grew as darkness fell.

That night, local Yazidi men stayed up to patrol the streets. But when convoys of cars started to approach the village, there was little anybody could do but flee. With the Kurdish Peshmerga fighters gone there was nobody left to protect the men or their families, so they collected a few personal belongings and fled to nearby Mount Sinjar to hide.

Fawaz, who is now living in the NSW regional town of Wagga Wagga, was 11 years old at the time he was forced to leave his home. He describes the fear, despair

and uncertainty he felt, trapped in the mountains with another 50,000 Yazidis in sweltering temperatures of up to 50C, but with no water, food, shelter or medical supplies, and surrounded by fighters from Islamic State (IS). Many of his fellow Yazidis died of dehydration, starvation or illness during the siege. Fawaz and his family survived on dry bread and water airdropped by American and British forces.

Fortunately, Turkish Kurdistan Workers Party (PKK) fighters and People's Protection Units (YPG) intervened and helped the Yazidis flee the area, via a safe corridor that took the refugees through Syria to a safe side of the mountains in Iraqi Kurdistan, where about 300,000 remain displaced.

Fawaz and his family managed to escape to safety, but many fellow Yazidis were trapped. Once Yazidis in Mount Sinjar began leaving, the IS fighters turned back to the villages, blocking roads and killing anyone who tried to escape. Human rights reports say about 10,000 were killed or kidnapped, and 3,100 were murdered – either shot, beheaded or burnt alive while 6,800 women and children were enslaved, with many boys kidnapped to be trained as child soldiers.

“The true scale of the horror is impossible to know, as thousands have disappeared, and are either dead or remain in captivity,” says a study published in May 2017 by PLOS Medicine journal *Mortality and kidnapping estimates for the Yazidi population in the area of Mount Sinjar, Iraq, in August 2014: A retrospective household survey*, by Dr Valeria Cetorelli et al.

According to the study, families were rounded up en masse and divided up as part of a systematic genocide that saw men and boys massacred if they refused to convert to Islam.

Lead author Cetorelli says the toll may even be higher because of the reliance on survivors to report deaths and disappearances. “Because the attack was so indiscriminate, in many cases entire families were captured together if they didn't escape in time ... it is possible that no one managed to escape, so there are no survivors and zero possibilities of being included in the survey.”

She writes that at least one household member needed to survive to report the killing or kidnappings of others. The study found children were disproportionately affected, as they were the least likely to escape IS captivity, and made up 93 percent of the reported deaths.

Four years later, the legacy of the genocide is still fresh, high levels of traumatisation and displacement are common among survivors, 3,000 women and children are still unaccounted for, and 70 mass graves have been discovered.

For the past four years, thousands of displaced Yazidis, scattered throughout northern Iraq, Syria and Turkey, have been living in plastic tents, surviving on donations of food and clothing, and enduring extreme temperatures. With no access to housing, jobs or education and still haunted by horrific memories, all they want to do is return home and rebuild their lives, but many are too afraid to do so.

**F**

or centuries Yazidis, a religious minority group, have led a simple life, farming their land on the foothills of Mount Sinjar in the Nineveh plains of northern Iraq, one of the poorest and least developed areas of Iraq.

The group was comprised of some 550,000 people before the genocide. They also live in southeast Turkey, northern Syria, the Caucasus regions and parts of Iran.

They practice Yazidism, an ancient and mysterious religion that, according to historian Philip Kreyenbroek, remains little known and often misunderstood, not only in Kurdistan but also to Western literature and scholarship. Kreyenbroek writes that Yazidism emerged in the 12th century, but it is unknown when or how it developed into a highly syncretistic religion in which elements of mystical Islam, Christianity and Judaism were integrated into and reconciled with elements of ancient Iranian religions.

Yazidis worship God and seven angels, including the archangel Tawusi Melek, who at the creation took the form of a peacock and painted a desolate Earth with the colours of his feathers. Orthodox Muslims consider the peacock a demon figure and see Yazidis as devil worshippers, something Yazidis find most offensive. Since Yazidis are not a “People of the Book” like Jews, Christians and Muslims, they are not protected under Islamic Law.

As a result they have suffered centuries of religious persecution, particularly during the Ottoman reign and more recently during the 1991 Gulf War and 2003 Iraq conflict, which disturbed the fragile peace in northern Iraq where many minority groups live. Former Iraqi dictator Saddam Hussein inflicted decades of discrimination, marginalisation and neglect on Yazidis. Under his Anfal campaign, he resettled Yazidis in planned communities and pressured them to identify as Arabs, destroying many villages, denying them food and aid and conscripting men into the Iraqi army.

When Saddam was toppled in 2003, many Yazidis started to rebuild their villages. In 2007, 500 Yazidis died and 1,500 were wounded in one of the worst terrorist attacks in the history of Iraq, but it was in



A view of the destruction caused by heavy fighting to the city of Sinjar. November 15th, 2015.

Photo: Andrea DiCenzo

August 2014 when Yazidis faced the biggest threat to their existence. The UN formally recognised the IS attack as genocide but the international community was too slow to respond not only to avert the genocide but also to assist victims in the aftermath.

As George Packer wrote in *The New Yorker* in 2014, “The age of intervention is over, killed in large part by the Iraq war. Scepticism about the use of military force seems also to have killed off the impulse to show solidarity with the helpless victims of atrocities in faraway places. There is hardly any public awareness of the unfolding disaster in northern Iraq, let alone a campaign of international support.”

It was only after intense pressure by a group of Yazidi refugees living in the US and requests from the Iraqi Government that Barack Obama decided to intervene, although the former US president’s decision came too late. According to media reports a desire to prevent genocide was the motivating factor behind the US decision to intervene. Coalition spokesperson Colonel Ryan Dillon said that more than 28,000 air strikes were launched in Iraq and Syria to drive IS fighters out. However, once IS was driven out, the world’s attention

moved on and the plight of the Yazidis was no longer a priority. So it was left to local authorities to pick up the pieces, track and rescue the missing and give shelter to the displaced.

**F**our years later, displaced Yazidi communities still cannot return home and Sinjar remains a no man’s land. According to media reports, landmines and makeshift bombs planted by IS fighters litter the area, homes have been reduced to rubble and basic services are non-existent.

Before the IS attack the region was part of Iraq, but Kurdish Regional Government (KRG) President Masoud Barzani claims that it is now part of Iraqi Kurdistan. Baghdad, of course, disputes that claim.

Sinjar was liberated by Kurdistan Regional Government (KRG) Peshmerga forces, Turkish Kurdistan Workers Party (PKK) fighters and Sinjar Resistance Forces (YPG) with the support of US air strikes. When IS was finally driven out, these rival groups turned towards each other in a tense confrontation. They have been vying for power and control of the area.

“At a strategic crossroads between Turkey, Syria and

*“At a strategic crossroads between Turkey, Syria and Iraq, Sinjar has become a flash point for Kurdish political rivalries fuelled by wider competing interests of Turkey, Iran and the Iraqi government.”*

— Loveday Morris

Iraq, Sinjar has become a flash point for Kurdish political rivalries fuelled by wider competing interests of Turkey, Iran and the Iraqi government,” wrote Loveday Morris in *The Washington Post*.

Following the IS siege, PKK fighters, credited with helping refugees flee the area, trained and armed Yazidi militias, the Sinjar Resistance Force (YBS) emerged to fight IS following the massacre. For its part, the YBS was reported to be responsible for abducting and killing people suspected to be linked to IS. The YBS is linked to PKK militias and to the Hashd al Shaabi, also known as Popular Mobilisation Forces, an Iraqi state-sponsored umbrella organisation backed by Iran that now controls the area.

Initially the PKK stayed in Sinjar and declared it a self-administered area. This enraged the KRG, which began a bitter struggle for power with the PKK. President Barzani asked the PKK to leave Iraq.

“[The] PKK used the plight of the Yazidis to get another foothold in Iraq,” professor of Istanbul Kultur University, Bora Bayraktar told *The Arab Weekly*. “It was an opportunity to turn Sinjar into another base for [the] PKK.”

Then in March 2017, Turkish President Recep Tayyip Erdogan began operations against the PKK in Sinjar. Haider al-Abadi, Iraq’s Prime Minister, described the Turkish move as “a serious breach of Iraqi sovereignty”. The PKK withdrew, although they maintained a modest presence in the area.

When Syrian Rojava Peshmerga, trained by the KRG to fight against IS, encroached into an area controlled by YBS in 2017, the two rivals clashed, resulting in casualties on both sides. The few families who had returned to the area had to flee once again. In October 2017, KRG Peshmerga forces started to withdraw from Sinjar as the Iraqi army and its ally Hashd al Shaabi pushed them back and took control of the area. Hostilities ceased as a result.

In August 2018, senior PKK figure Ismail Ozden was killed in a Turkish airstrike. This angered Yazidi leaders. Ismail was credited with leading the rescue operation from Mount Sinjar. Nadia Murad, a Yazidi activist from Kocho who was held captive by IS tweeted, “Today is the anniversary of the massacre committed against my village in Kocho. Today Turkey carried out several air strikes in different locations in Sinjar. Sinjar continues to be a war zone. How can Yazidis recover from this genocide and go back home?”.

**P**olitical instability will continue to stand in the way of social, economic and physical development and prevent displaced communities from returning home. If the situation does not improve soon, Yazidi refugees and the internally displaced will have to stay in the same tents they have been living in for the past four years, with no job prospects, precarious living conditions and a grim future.

There was an expectation that once Sinjar was liberated the international community would help to find and rescue the abducted, rebuild shattered villages and the local economy, and assist in reconciliation and peace building. However for the past four years nothing has happened. There has been little global awareness of the Yazidi tragedy in the aftermath of the 2014 attacks, and the Yazidis appear to have been forgotten.

Assisting victims and ruined communities must be a priority for the anti-IS coalition, which is made up of 70 countries and international organisations. The first priority should be to help track and rescue the 3,000 women and children who are still missing. Many could still be alive, although nobody knows where they are. Since US and Iraqi forces refuse to get involved, even though IS sold and trafficked women and children using modern technology such as WhatsApp and Telegram,

A Yazidi boy – his face covered and hair matted with dust – re-enters Iraq from the Syrian Arab Republic, at a border crossing in the town of Peshkhabour in Dohuk Governorate. Photo: UNICEF/  
Wathiq Khuzaie



local authorities have been left to try to find and rescue the missing.

Most of the rescuing has been done by Yazidi and Sunni rescue networks. However their mission became more difficult after IS lost its territory and its militants went underground or fled to nearby countries. It is estimated that some captives may have been killed when IS bases were bombed.

Hiwa Aziza, a former intelligence officer from Kurdistan, said in an interview that many women may even have been taken to Turkey by IS, and sold to human trafficking rings. Others believe that hundreds of captives may still be alive in Syria, and may be hiding within IS families. “A year ago it was easy to find women and children, but now IS is in a very small area and we won’t get much information anymore. It is very hard.” Almost every Yazidi family still has relatives missing but as time passes they are quickly losing hope of ever seeing their loved ones again.

While rescue networks have freed many, rescues are expensive. The price of getting a girl back is about US \$15,000. Refugee families cannot afford such sums as they have lost everything. So rescue money has come mostly from private donations. But there is never enough funding. A large scale rescue operation is urgently needed.

The failure to bring perpetrators of crimes to justice has made healing difficult for victims. In 2016, the activist and survivor Nadia Murad addressed the European Parliament. “Three years ago I was one of the thousand Yazidi women kidnapped by IS and sold into slavery. I endured rape, torture, humiliation at the hands of multiple military before I managed to escape.

“Once I escaped I felt it was my duty to tell the world about the brutality endured. We received empathy and solidarity all over the world, but now what we really need is concrete action to get justice and allow our community to return to its homeland. I call on governments and international organisations to act. We need more than empathy ... We live with the growing frustration that the perpetrators are getting away and the Yazidi religion is on the brink of dying out.”

In September 2017, the UN Security Council finally approved a resolution put forward by the UK to create an investigation into war crimes committed by IS against the Yazidis. The investigation will

collect evidence of atrocities and war crimes committed by the extremist group.

The biggest challenge for the Yazidis will be regaining authority and control over their own territory and institutions. Today Sinjar is controlled by Hashd al Shaabi Shia militias, backed by Iran. According to Bayraktar, given the perceived threat from Iran, “both Turkey and KRG want to push back the influence of Iran which backs the Patriotic Union of Kurdistan (PUK), a rival of Barzani’s Kurdistan Democratic Party.” Bayraktar says that Iran has also a strong influence on the Shia-majority government of Iraq.

According to Joost Hiltermann from the International Crisis Group, the unclear status of Hashd al Shaabi within the Iraqi security forces has done little to fill the administrative vacuum left by KRG’s departure, rebuild devastated towns, or encourage the displaced to return home. The militias operate as a parallel institution to the state security forces, with their own chain of command.

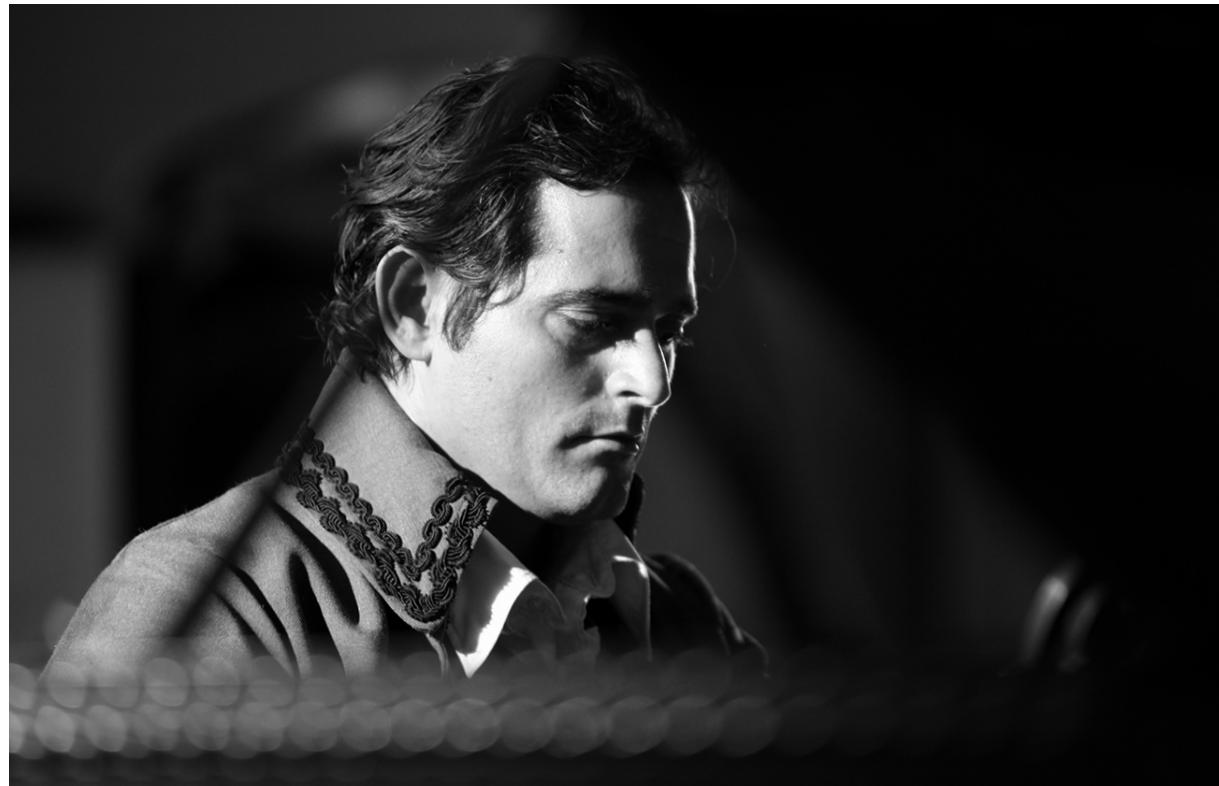
“Hashd al Shaabi has pursued the same divide and rule co-optation and security control approach as their Kurdish predecessors.”

According to Hiltermann, the greatest challenge for Sinjar will be to restore the ties that linked community members to their land, to one another and to their cultural heritage. “A new leadership is needed not beholden to militias but willing to be able to reinvigorate local institutions under Baghdad’s authority, as provided for by the Iraqi constitution and law.”

For that to take place, safety and physical conditions will need to greatly improve, so displaced communities can return home. Then a local Yazidi administration could be established and Yazidi militias could be incorporated into the Iraqi army, with the assistance and investment from the Iraqi central government and the international community.

Restoring local governance will not be achieved without a peacebuilding plan that also addresses the deep-rooted causes and grievances of the conflict, with a focus on reconciliation, compensation, social cohesion, economic development and reconstruction. Otherwise displaced Yazidis will see their four-year exile become permanent as most of Sinjar remains deserted, ruined and off limits due to militia control, political instability and a complete lack of any reconstruction and development. **R**

**The biggest challenge for the Yazidis will be regaining authority and control over their own territory and institutions.**



*Ancient music  
pleads for a  
modern peace*

*Award-winning Syrian-American composer and pianist Malek Jandali performed in Sydney during Refugee Week as part of his debut Australian tour. He speaks to **OLGA YOLDI** about his music and his longing for a peaceful Syria.*

**Your concerts have captivated audiences around the world. Tell us more about how The Voice of the free Syrian children brings to the fore the conflict in Syria.** I will perform in many US cities and countries around the world. The objective is to give the voiceless a voice through music. The profits go to support humanitarian aid for Syrian children affected by war inside and outside Syria.

I feel blessed and humbled to have this opportunity to assist children in this way. I tend to believe that music has the ability to unite people and connects us with who we are. Music – and art in general – can be agents for positive change. Music contributes not only to building bridges between people, but also in bringing to the forefront our shared humanity and common values. Through music we learn about one another, it somehow creates this dialogue between people and spotlights those aspects we have in common, rather than our differences. Nowadays we believe we are all connected through the internet, yet we are really more disconnected than ever before. Through my work I always strive for a meeting of the minds in transforming the current narrative.

**As an artist you work with children in the countries you visit. How was your workshop at the Sydney Conservatorium of Music?**

I try to connect with the next generation of artists before they face life's challenges. I share my own life experiences in order to make it easier for them to face their own challenges. That is why I am so keen to get involved with students through music competitions, workshops or visits to schools. I feel honoured to do it and it's always such a gratifying and inspiring experience.

I reminded the students during the workshop in Sydney how lucky they are to be living in a free country and encouraged them to take advantage of it, to express their feelings or tell their story to the world through the music they create. I also reminded them how powerful they are as artists, how important it is for them to believe in themselves, follow their dreams and make a difference, no matter how many challenges they face.

I also take my music to refugee camps – although I

call them concentration camps – because music is such a good therapy. The last time, I took instruments for the children in Jordan, but to my surprise they didn't want them. They quickly told me they really wanted umbrellas: "We want to cover ourselves when we go to the latrines." So I went back to Turkey and bought as many as I could, then went back to Jordan and gave them to the grateful kids.

That was a slap in the face. The children asked me to look at reality, and listen to them, because we are in our comfort zones we are unaware of how dramatically their needs have changed.

**You integrate ancient melodies from Aleppo and the Silk Road into your works?**

Yes, I believe it is my mission to preserve Syria's musical heritage. I have also composed and performed Echoes from Ugarit [[www.youtube.com/watch?v=k41\\_3tPJvXU](http://www.youtube.com/watch?v=k41_3tPJvXU)]. Ugarit in Syria is the place where the first documented music notation was discovered from more than 3,400 years ago. My composition, including music for piano and orchestra, was recorded with the Russian Philharmonic Orchestra. Its release was accompanied by a successful tour of the US, Europe and the Middle East. But my music is inspired by the Syrian people and their quest for freedom and human rights. My music gives a voice to the resilience and hope of the children I have met in refugee camps.

**In 2015 you founded Pianos for Peace, a non-profit organisation that spreads the joy of music. What was its aim?**

Pianos for Peace was established to make music accessible to disadvantaged communities and build peace through music and education. It was created to fill a gap, as not everyone gets to experience the joy music brings on a daily basis. I believe art loses its power and meaning if it doesn't impact on every segment of our society.

So Pianos for Peace is an annual open festival of music using colourful pianos (painted by local artists) to inspire artists and unite people in the community of Atlanta where I live. The pianos are placed in public

spaces and parks for everyone to enjoy and play. After the festival they are donated to communities in need, such as schools, hospitals, nursing homes and organisations helping the disadvantaged. We have also given some of the pianos to deserving musicians.

During the Pianos for Peace festival volunteer musicians also contribute to outreach programs to disadvantaged communities in order to revitalise music education.

Some people warned us that if we left the pianos unattended in public places they would be stolen, but we had no issues. People even protected them from the rain. One day I saw this homeless guy who sat at one of the pianos and played a Chopin Polonaise beautifully. Suddenly people did not see a homeless man, they saw an artist.

### **You were born in Germany, raised in Homs, Syria, and now live in the US. How did you become a composer?**

I attended a performance of a Mozart piano concerto – that's all it took for me to want to learn to play an instrument. I gave my first piano concerto at the age of eight.

Yes, I was born in Germany, but moved to Homs with my family as a young child and was raised there. I received a scholarship and went to the US in 1994 and I now live there permanently. I left Syria before the war because there were simply no opportunities for me there.

I became a classical pianist, then a composer and when the Syrian civil war started I turned into a peace activist as well. I don't belong to any political party. I am just a humble artist, but I do value freedom and particularly the freedom to express one's art, which are essential rights I could not enjoy growing up in Syria. Apart from not being free, there was little respect for the most basic human rights.

When I first became a peace activist in the US, the Syrian police decided to attack my parents in revenge. It was only when I saw the images of my own mother beaten, downtrodden, with broken teeth and black eyes that I realised the extent of the regime's brutality.

To me there is no doubt the political system is going a long way to repress its people and undermine democracy. Journalists are being targeted and the media is tightly controlled by the government. The system also dislikes artists or anyone else who gives expression to what I would call beauty and truth. They will soon be in trouble because truth is powerful, and beauty is even more powerful than truth.

### **The Syrian civil war is the most disastrous conflict of recent times. The abuse and destruction that has overtaken the country is tragic. Yet Syria is also a**

*"It is disturbing to think that every time I play a note, perform and compose a piece of music, someone is getting killed, a building is being destroyed and a child is drowning."*

### **country vital to many interests. How do you see the conflict unfolding?**

Let's be clear, the fundamental cause of the war in Syria is the result of a brutal dictatorship wanting to remain in power at all costs. The abuses perpetrated by the regime were defined as state terrorism by the West in 1972. So in a way this is nothing new. The question is, what has been done since 1972 to address it?

It is traumatic to have to witness the cultural and social destruction of my country. Yes, the war is a fiasco of powerful interests, but genocide has been perpetrated against the Syrian people. The conflict has displaced 11 million Syrians who have fled their homes, 13.5 million are in need of humanitarian assistance, 6.6 million are internally displaced and 4.8 million have fled to surrounding countries and later Europe. Many of these are children.

For the past six years the West has failed to prevent or stop the abuses. All it has done is classify the Syrian people escaping the violence as "migrants", "refugees" or, if still living in Syria, "displaced persons". This language objectifies the victims.

If you check the Oxford Dictionary definition of the word "migrant", it refers equally to animal migration, usually a bird or to a seasonal worker looking for a job. Recently I was at Oxford University where I participated in a panel discussion on The Effects of Migration in Europe. I was the only Syrian and the last speaker, so I told the audience to refrain themselves from calling Syrian babies migrants, because they are not animals, and not to define mothers as seasonal workers, because they are simply human beings fleeing violence. It is easy to objectify people by using terms that distort reality.



Malek Jandali addresses the audience prior to the 'Ode to Syria' concert, St Stephens Uniting Church, Sydney, marking National Refugee Week and 26 June: UN International Day in Support of Victims of Torture. Presented by Sydney Peace Foundation in partnership with STARTTS, Amnesty International Australia and Brave Media. Photo courtesy Kunchok Gyaltsen

We Syrians face a terrible war. That is why the baby and the mother rejecting violence are going out onto the ocean in the hope of finding peace in a distant land, when many times they end up dying. Everyone was aware of Aylan Kurdi, the three-year-old boy whose image made global headlines after he drowned in 2015 in the Mediterranean Sea. It became news for a month, and then everyone carried on with their lives.

This shows the state of dehumanisation we are experiencing today, when we allow children to be gassed to death or drown in the Mediterranean and nobody does anything to prevent it. It is shameful.

As an artist my response to this tragedy needs to be positive, emphasising our common humanity. The Baltimore Symphony Orchestra is to premiere my symphony called The Silent Ocean, based on a young girl who escapes the Syrian war. She is forced to leave her home, cannot take any belongings with her but a melody. Thankfully, nobody can see music so nobody can take it away from her. The symphony is about the power of music in the face of adversity. I am hoping politicians will attend this concert. There seems to be much apathy about the Syrian War

now. The lack of reliable information and the repetitive images of destruction are not having the effect terrorist attacks in Europe are having on people. Initially there was interest, but after a while people get tired.

This is the most documented and filmed conflict in mankind's history. Yet there is a lack of reliable information as the government controls the media and it is highly dangerous for independent journalists to report from Syria.

A military defector called Caesar (whose job was to take pictures of civilians in prisons), smuggled more than 50,000 photographs out of Syria in 2013. The Caesar photographs identified victims and showed some of the key causes of death. Many of those photos were taken in detention centres or military hospitals.

When Human Rights Watch received a full set of images it published a report called *If the Dead Could Speak: Mass Deaths and Torture in Syria's Detention Facilities*. It researched the human stories behind thousands of photos and found evidence of widespread torture, starvation, beatings and disease in Syrian Government facilities. So people were starved, beaten and tortured in a systematic way and on a massive scale.



Photo courtesy of malekjandali.com



Malek Jandali in conversation with Archibald prize winning artist, Ben Quilty at NSW Parliament, Sydney on World Refugee Day.  
Photo, Dhondup Tsering



Photo courtesy of malekjandali.com

According to Human Rights Watch, the pictures present evidence of crimes against humanity. If this is not enough evidence to prompt the international community to do something about it, what is? When this conflict ends we will look back at this terrible episode in our history and we will seek to avoid such conflicts in the future. We did not learn from the Holocaust. Hopefully this time we will.

With a change in government, the Syrian people will figure out a way to live in peace. After all, Syria was the cradle of civilisation. My ancestors invented the alphabet and music notations. We are a 10,000-year-old civilisation with very rich culture, although the standards of art performance have declined dramatically in the past decade.

Life goes on for many Syrians who have sought refuge in other countries. Many are integrating well into new countries. Despite the difficulties of resettlement some are actually thriving and excelling in countries such as Germany and even here in Australia and Canada, because they are persevering and are free from violence and

oppression. In spite of everything Syrian children continue to sing, learn, draw, but they want to go back home and help rebuild Syria. I imagine that every child I have met is like a phoenix in exile rising from the ashes. This is what inspires me and motivates me to compose and continue to raise awareness.

I believe once the war ends we are going to create a much more beautiful Syria through music, art, and the free spirit of these children. That is why my work was called the Free Spirit of the Syrian Children.

As I said, the fundamental problem in Syria is the dictatorship. The solution is simple: get rid of the dictatorship which is the fundamental cause of the conflict so that people can live in peace. That is why my symphonies are all about peace.

It is disturbing to think that every time I play a note, perform and compose a piece of music, someone is getting killed, a building is being destroyed and a child is drowning. It is my mission to eternalise their silence through a symphony that emphasises not the destruction, but the beauty of the Syrian people. R



Photo courtesy of malekjandali.com

# Rebel with a cause

*In the wake of her win as Telstra woman of the year and the UTS Alumni Award of Excellence, Violet Roumeliotis has become the face of next-gen Not for Profits (NFPs) – social enterprises battling bias and inequality, with heart as well as corporate smarts in their arsenal. Here DANIELA AROCHE picks the brilliant business mind that drives Settlement Services International.*

**G**etting an interview with Mrs Violet Roumeliotis is harder than securing a sit-down with the head of Hermès. It's no easy feat.

As CEO of Settlement Services International (SSI) – an organisation that has supported the settlement of more than 10,000 refugees in Australia, helped hundreds gain work and spearheaded an impressive array of support programs from educational scholarships to small business initiatives and even multicultural foster care – her schedule is perpetually packed and her time is, understandably, increasingly in demand.

Yet, when we finally connect – a few months from my initial request – there's no air of self-importance and not a hint of hastiness to our interaction.

This is all the more striking, given that our interview occurs on a Saturday via a shaky Skype connection from my makeshift office in Paris to her home in Sydney, where Violet (as most people know her) has taken my call during her personal time off – moments that she admits are, these days, precious but nonetheless punctuated with work-related wanderings every now and then.

"Sometimes you wake up dreaming at night because something's popped into your head about work and you've got to stop and say: 'No, no I'm not gonna do that now,'" Violet says.

"But I think that's part of the package when you're in a leadership position like this, inevitably you're always looking at opportunities and new angles, no matter what time of day it is."

Indeed, it's Violet's ever-ticking business mind thinking outside the square that's been the most potent

tool in spinning the fortunes of SSI from a small support start-up to the thriving organisation of today. Since she's been at the helm, her astute strategic vision and uncanny ability to pinpoint opportunities and nurture them to fruition have turned an organisation that had one prime area and a single line of revenue into an expansive social enterprise with 13 program areas and a robust and diversified revenue stream.

This has let SSI become more independent by not relying on just one, single funding source – and allowed the organisation to share work with other support services and local community providers, while contributing to a greater collaboration and increased co-operation in the not-for-profit (NFP) and human services sector.

"What we have now is a system where, once [a program] is working, we look at putting our surplus into gaps that the market won't address," she says. "That's what the vision always was – to be able to build something sustainable that grew the pie for SSI and our members, our partners and our sector – and not about SSI being at the centre of everything."

Financially, Violet's inclusive and innovative strategy for SSI has paid off. The organisation has achieved more than 1,100 per cent revenue growth, totalling AU \$113 million over the past five years, and she's grown staff numbers from a team of fewer than 70 at inception to more than 600 today.

These accomplishments are all the more impressive given that SSI's development comes at a time when reduced government funding, coupled with the increased difficulty of fundraising, has many non-profits struggling to survive, much less flourish.

Against this backdrop of a constantly changing



Photo courtesy of Violet Roumeliotis

landscape for non-profit service providers, I ask Violet about the formula for sustainable growth and a profitable NFP structure that can handle the bumpy fiscal roads to the future. Perhaps unsurprisingly for a visionary leader at the heart of a community-led business, she responds that the four keys are diversification; networking; knowledge-sharing with peers and potential partners ... mixed with forward-thinking, and a generous sprinkling of “spiffiness”.

“We are really quite a spiffy company,” she says. “Far more sophisticated in our infrastructure, our governance and our approaches than society’s idea of what a not-for-profit often is. I think it’s important to change the view of not-for-profits and let other businesses in Australia know that we’re [NFPs] not in this 1970 mindset of volunteering and answering the phone, not running things efficiently. I think we’ve shown it, and there are similar organisations that do it really well, too.

“But you always need to be a few steps ahead of the curve. If you’re embedded in your sector and your industry and you have an open mind, listening attentively, networking, connecting, having deep relationships with bureaucracies, other not-for-profits, corporates and the like – then you get a sense of what’s coming and you can act on it.

“You can then think, ‘Okay, how is that change of governor or the new privatisation of services going to collide with – in our case – human services, employment, and so on?’ If things have an impact on the nation, they will also have a flow-on effect in our sector and business. Keeping aware of policy shifts is critical.”

Just as crucial, Violet adds, is the ability to stay grounded and connected with the communities and the organisation services, how certain policy developments may impact on their access to resources, opportunities and basic living conditions.

The ability to tune in is a trait Violet says has kept SSI relevant over the years, and something which she believes governments can improve on. She has been vehemently vocal about the importance of advising and advocating through consultative and advisory structures to change social policy for the better.

A case in point – speaking to Telstra’s Smarter Business [[smarterbusiness.telstra.com.au](http://smarterbusiness.telstra.com.au)] team earlier this year on the subject of reporting to government on migrant and refugee issues, Violet’s comments were refreshingly candid:

“Governments of all colour are moving more and more to codify what not-for-profit organisations shouldn’t do. I think politicians have lost touch with how ordinary Australians are living – and what they’re feeling.

“When organisations are engaged with communities

they can add extraordinary value. So I think we’re obligated to give honest feedback to the government about the impact of policy.”

To that effect, Violet now sits on the NSW Government’s Justice Multicultural Advisory Council, the Federal Government’s Settlement Services Advisory Council and co-chairs the NSW Joint Partnership Working Group, which coordinates the NSW component of the additional intake of 12,000 refugees from Syria and Iraq.

Despite so many projects and responsibilities to juggle already, one would think that Violet’s full plate, her tally of achievements, accolades and commitments has only grown this year.

In 2017, she was named 2017 Telstra Australian Business Woman of the Year after winning the NSW and national for Purpose and Social Enterprise category, and she has also been awarded the UTS alumni award of excellence and the title of Community Fellow from Western Sydney University for outstanding service to the community. To boot, she’s also twice been named on Pro Bono Australia’s list of the 25 most influential people in the not-for-profit sector.

In October she will take to the world stage as the chair of the 2018 International Metropolis Conference – a global gathering that will bring together more than 750 Australian and international experts, key decision-makers and community organisations to discuss migration, diversity and integration.

But this one-woman whirlwind who seems to have given the business world a wake-up call, and taken the Australian NGO sector by storm in her stride, still shies away from being called a trailblazer.

“I don’t know if I am. I know that this year has been important in terms of thought leadership — so, yes, I know that sometimes I have a view on things that is different from what people expect, and they tend to say, ‘Where is she coming from? What is she talking about?’ at first. Then I get on the track and when it’s become a reality, they understand it.

“But to be honest, being a daughter of [Greek] immigrants, I’m not really that fond of taking risks. Some people say: ‘Oh, you’re amazing because I would be too scared to do the things that you’ve done.’ So yes, I feel that I have a certain level of courage, but it has a lot to do with knowing what I’m good at. I know my strengths. Yet I also recognise that what we do here is a collaboration, there’s absolutely no way we could have achieved what we have if not all together – it’s not just about me.”

Violet says she acquired this characteristic humbleness from her parents, from being taught at a young age to never become “too big for her boots”.



Photo courtesy of Violet Roumeliotis

“I think it [remaining humble] was probably embedded in me as a young girl at home with my parents. They were very active in the community and the message was always about giving to others and thinking about others and to be generous with your time,” she says.

“Then, when I was a young graduate and new in the industry, I also had wonderful people – in particular women, but men as well – in my life like mentors or coaches, and I would really ask them some silly questions sometimes. But they would always give me time and never made me feel like I was asking a stupid question. So that kind of support was really important. It helped me to develop, then I took more risks and became a bit more courageous.”

Years later — having ascended through the ranks and in a respected management and mentoring role herself — Violet is now in a position to influence perception, instigate change and champion diversity on her own terms, in the boardroom as much as in the community. It’s a duty she does not take lightly.

“It’s interesting that when I got the phone call from the judges saying I’m a finalist [in the Telstra Awards], my first thought was, ‘Wow, I have no chance, particularly in this environment’. It’s that typical gender stuff. But it was an amazing honour. I feel like I accepted that award for all the women who had helped me, and my colleagues, and all the good people around me who had given me opportunities over 35 years in the sector. Now it’s time to think about that legacy.

“For me, that means having established a network that supports leadership for women – not just professional women, but also women who have great leadership capacity even outside of the corporate world: women active in the school yard, helping the poor, or who are activists in their own communities. They need to be supported with media skills, public relations, understanding how government works. For them, having a strong, encouraging network where they are mentored on becoming more business-like and savvy in their lobbying and advocacy is really important.”

At this point, I ask Violet about her experience carving out a niche in the corporate arena as a woman, whether she feels that attention has been focused on her gender instead of just to her mind, ideas and the innovation it’s taken to break free from conventional moulds.

“I agree with you,” she responds. “Unfortunately, I’ve got some amazing stories of the way I’ve been treated because I’m a woman in my role. If I were a male I know I would be treated very differently.

“Looking at these [business] honours, for example, 75 per cent are always males, usually Anglo. So I think

one of the steps we need to take as a society is nominating more and more women in a lot of these awards. We need to take that initiative and I think ‘we can do this’. Because it’s a challenge.

“These awards have provided the opportunity, and the joy, for me to be an example, so younger women can say: ‘Well, maybe I can do what Violet’s done. I can get an award like that. I can be recognised for my skills – not because I’m a woman, but for what I’ve achieved’.”

That said, the fact Violet has been able to break into the “boys club” of CEO circles and crack the glass ceiling that limits the number of women in boardrooms speaks to the notion that – for all her modesty, warmth and nurturing disposition – she is undoubtedly a hard-nosed businesswoman with a fiery resolve and will of steel. Later in our conversation it becomes clear that it’s this side of her that ultimately alerted the Telstra Awards judges to her brilliance and gave her a vital edge over the 45 finalists and 4,000 entrants in the running.

As Joe Pollard, group executive media and chief marketing officer at Telstra and part of the Business Women’s Awards panel of judges said after bestowing the accolade “Her [Violet’s] business acumen is amazing.”

Later, in a blog about Violet’s win, Pollard alerts my curiosity with her note that “Violet didn’t have a typical upbringing”. It’s an interesting statement, given the nation’s rich migrant history – so I ask Violet how her childhood may have been differed from that of any other Australian or child of migrants like me.

“That’s a great question,” she says. “I didn’t know what was in Joe’s head when she said that, and of course I don’t know what she might consider as typical. But if you ask, did I have a typical Western country, middle-class upbringing? – no, I didn’t.

“My sisters and me were latch-key kids. Mum and Dad worked in the shop, so we’d get ourselves to school and home. From primary school age we’d organised ourselves doing homework and housework, preparing meals and working in the family business. I know that when I went to school my Anglo friends were not expected to do those things. They were keen to do just what kids do. So in that context it was different.

“The other thing was that, like many children of my era, I was the family interpreter. When Dad had trouble in one of the shops that had a takeaway and used to be open till 2-3 am on a highway in western Sydney, with lots of young people coming in who had been drinking and got into fights, dad would ring the police if there was violence. The police never responded, because there was racism as well – so I’d have some Mondays getting in late to school because I’d be at the chamber magistrate’s with Dad to bring civil charges.

*“The clincher to success was that I kept my eye on the vision and the purpose of the organisation, while making the most of the opportunities that came our way.”*

“So I grew up with that kind of thick and thin. There was always a lot of love and it was a lot of fun sometimes as well, but it definitely fuelled that desire in me that everyone should have the right to live the life they want to live in peace. Whether they want to be a housewife, a dentist, a trainee – they should have those opportunities. It wasn’t a typical upbringing, but it certainly created a great resilience in me.”

In addition to sparking in her a desire to become a human rights defender and forger of opportunities for those less fortunate, Violet’s upbringing also helped cut her teeth in business – and accumulate a thick skin for the challenges and hardships of an often cutthroat corporate world. So these skills, along with a positive attitude and dogged determination, proved vital to Violet’s management of a period in her past which she describes as “very painful” – and it’s surprising to discover that, for all her triumphs, it is the experience of failure that has played a big part in her inspirational success.

“For me, I think that when I reflect on SSI’s growth, one of the big takeaways is that you learn something new every day and you learn a lot from your mistakes,” she says. “In fact, some of the best learnings I’ve had on the job are when I’ve had wonderful managers and leaders that – when I’ve stuffed things – have said to me: ‘Okay, what have you learnt from that and what have you acquired?’

“In particular, I had a hard learning when we first set up SSI 16 years ago. We applied for a tender – the Refugee Resettlement Program, our flagship program – and five years later when we had to re-tender we lost it. It was very painful for us, because we had to close. Seeing so many staff members – many of whom were refugees – out of work, and to lose something we had invested so much in, was very difficult.”

This hurdle was not enough to keep Violet down,

but she had to make some tough decisions along the way. “The board’s approach before was totally immersed in the day-to-day business, not on the bigger picture. They did not have a strategic view. They were thinking about running the program, and not about ‘What are we gonna do to ensure that we are sustainable?’

“At the time the SSI board members were mostly CEOs so they leaned towards very operational ways of thinking. The strategy was always around ensuring the program ran smoothly rather than looking outside of that, and ahead. That was our fatal error: we just didn’t see the policy shift in government which was privatisation, and completely splintering.

“The strip-it-all approach was very much needed.” This sentence is most revealing, because it encapsulates the essence of a tenacious business woman who has the foresight to assess what is required and the guts to push for change and take action where it’s needed, for the greater good.

Her efforts and intrepidity were not in vain. Five years later, SSI re-tendered for that same project they had lost, and won. A fresh board comprised of diverse thinkers and a lean, corporate-led structure focused on growth, collaboration and evolution meant the revolution had begun – with Violet leading the charge.

“My brief, when I went in as CEO in 2012, — when there was just that one program area, and just about 60 staff — was to diversify our funding base. The clincher to success was that I kept my eye on the vision and the purpose of the organisation, while making the most of the opportunities that came our way.

“I looked at what we were running, a refugee program, then said, ‘You know what? There’s another contract there doing the housing – we could do that!’ We tendered and were successful. Then we thought, ‘What other gaps are there? Well, there are projects for asylum seekers – what could we do there?’ And it just went on like that.”

Fast-forward to now, and this savvy businesswoman with a heart of gold has not only achieved her goals of expanding SSI’s horizons and creating a sustainable funding system that is going from strength to strength, she has also successfully challenged restrictive, inaccurate perceptions of migrants, women in business and how NFPs should act.

Yet anyone who speaks to Violet for more than a minute will know there’s bound to be more to come, as she rarely rests on her laurels – even at home, on a relaxed Saturday off and with 15 friends coming over for lunch.

As we move to wrap up our interview, I ask for her business motto. Violet’s response is as true-to-life and bare bones as they come: “I believe if you work hard, you get results.” R

Distinguished guests in attendance with former Zimbabwean senator and Co-minister of State for National Healing, Reconciliation and Integration, Sekai Masikana Holland, 26 June, Sydney Town Hall. Photo, Ignacio Moreno



*JORGE AROCHE is the director of STARTTS and president of the International Rehabilitation Council for Torture Victims (IRCT). He spoke at the official United Nations International Day in Support of Victims of Torture event at the Sydney Town Hall on 26 June.*

# Dangerous times

**T**orture is neither nice nor fair, and there is nothing about it we would wish to celebrate or remember. In fact, the tendency is often to look the other way, to try to forget it has a place in the world and that it affects survivors who often struggle to have a life after torture.

Their survival, their struggle, and the concerted efforts that make success possible are worth celebrating, and certainly worth communicating. Silence is the worst enemy of the struggle against torture and of the fight to ensure survivors have access to the means to rebuild their lives and restore their health and dignity.

It gives me enormous pleasure, therefore, to welcome you all to STARTTS' 2018 celebration of the UN International Day in Support of Victims of Torture – this time not just on behalf of STARTTS as its CEO, but also on behalf of the IRCT as its current president. This is most fitting, since the IRCT was the organisation largely responsible for the advocacy campaign that led to the declaration of this International Day and still coordinates and supports the events across the world.

So, since we are here with this wonderful panel of

highly informed people to talk about the dangerous times we live in, from a torture and human rights perspective, please let me reflect on the global picture from the vantage point of the IRCT movement – the movement that we at STARTTS are so proud to call our movement.

As many of you know, the IRCT was born out of a need to respond to the pervasive use of torture around the world, and to help the many thousands of torture victims whose pain and suffering is caused by perpetrating states. It was a process that originated simultaneously in many regions, from the north of Europe to the United States to Australia. Physicians and people from all helping professions were observing the terrible damage caused by torture and connecting it with its root causes, in the understanding that only by addressing these could we ultimately eradicate the scourge of torture.

Over the past 33 years, the IRCT has grown to become an organisation of more than 160 members in over 70 countries. Our membership is wide and diverse. We have members whose annual turnover is in the millions and others for whom it is in the thousands. We



STARTTS presents the official annual event to mark 26 June UN International Day in support of victims of torture, Sydney Town Hall, Tuesday 26 June. From left to right: The Hon. Michael Kirby AC CMG, Rabia Siddique, Richard Ackland, Sekai Masikana Holland and Jorge Aroche.

have members in the global north and in the global south. Some work exclusively on rehabilitation, others also engage in advocacy, capacity building and research. We have members that work only with refugees who have fled from their home countries and members that work only with domestic torture victims.

In Latin America, our centres have a long tradition of political activism inherited from the great 1970s and 1980s' social and political movements. A huge part of their work is to promote how to avoid the mistakes committed in the past by documenting and disseminating the terrible suffering dictatorships inflicted on their people. But they also face current challenges. We only need to observe the shocking number of forced disappearances in Mexico, the murders taking place in Honduras or the current situation in Nicaragua and Venezuela, to understand that our colleagues are in the midst of a human rights crisis.

In North America our colleagues have traditionally been strong and able, but they face the realities of a political system that seems intent on ignoring the rules of international refugee law while defying human rights policies that have been developed over generations.

In Europe, the influx of Syrian refugees that was very much felt by our colleagues of Sweden and Germany was used by populist politicians everywhere else to demonise refugees and migrants. The hardening of migration policies has recently had a terrible effect in Italy and Hungary, where only last week assisting a refugee in need was outlawed. The situation of our colleagues in Russia is aggravated by the constant hostility of the government towards them.

Our colleagues in the Middle East and North Africa are the ones at the forefront of the Syrian crisis: the

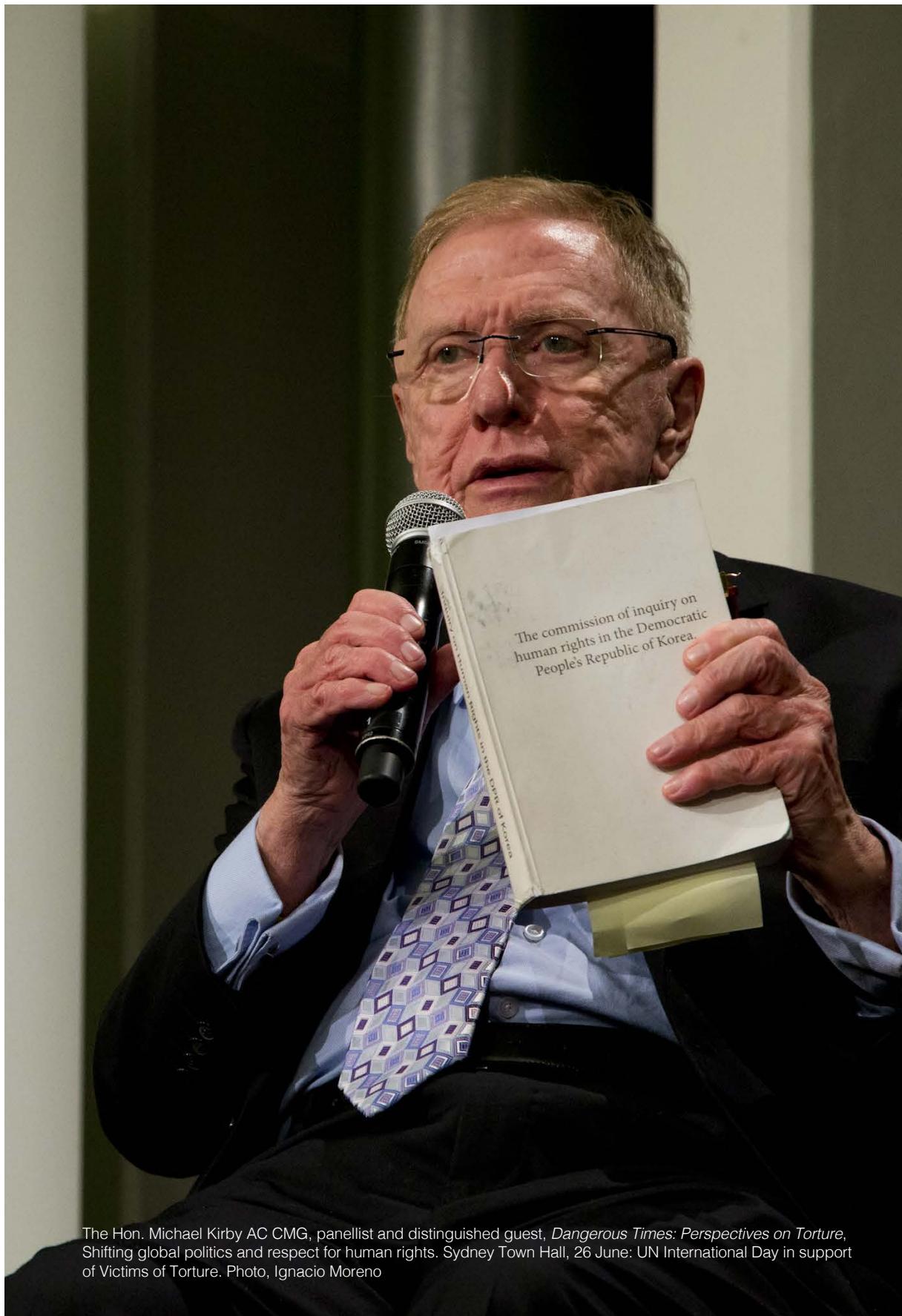
great majority of Syrian refugees and asylum seekers remain in the region – more than 3.5 million in Turkey and at least a million in Lebanon, and they too face persecution by hostile governments, particularly in Turkey and Egypt.

In Asia our centres face exceptional challenges in supporting victims dealing with the past (think of Cambodia, Indonesia, Sri Lanka or Nepal) in the midst of great scarcity and their fair share of continuing crises, such as the terrible situation affecting the Rohingya people.

Finally, our colleagues in Sub-Saharan Africa deal with vast numbers of victims of torture and mistreatment in some of the most desperate social contexts in the world. In the Great Lakes region, for example, they have to deal with systematic rape used as a tool to disempower women and maintain a status quo in which they do not exercise rights connected to land ownership by creating and nurturing networks through which they can provide health care, livelihood support and long-term rehabilitation services.

All in all, every year, our movement serves a minimum of 100,000 persons from all walks of life who long to lead happy and fulfilling lives after torture. Sadly, in a global context where the number of forcibly displaced people has increased by nearly three million in one year, it is not anywhere enough to meet global needs.

And in a context of rising populist and hard-line nationalistic tendencies, where many governments actively discourage our work with victims and others choose to look the other way, the work of many of our sister services is becoming increasingly dangerous and more precarious. R



The Hon. Michael Kirby AC CMG, panellist and distinguished guest, *Dangerous Times: Perspectives on Torture, Shifting global politics and respect for human rights*. Sydney Town Hall, 26 June: UN International Day in support of Victims of Torture. Photo, Ignacio Moreno

Associate Professor **KAREN ZWI**, is a consultant paediatrician at Sydney Children's Hospital. She has been involved in service development for refugee and Indigenous children. This is a presentation she gave at a STARTTS Clinical Evening on her Study of Wellbeing in Refugee Children in their First Years of Settlement in Australia.

# *New arrivals: how do we protect the children?*





# W

E KNOW refugee children are vulnerable, yet highly resilient. When working with children we know that physical health screenings are necessary and evidence-based, yet they are rarely carried out in many clinics.

I also believe not enough is known about their psychological wellbeing. If you look through the literature you will find refugee children often experience highly variable rates of anxiety, depression and post-traumatic stress disorder (PTSD), which essentially raises more questions than it provides answers.

We really don't know an awful lot about our refugee children's development, either. One thing that interests me is assessing which children are most at risk and in need of intensive follow-up and which children are most resilient. When I see the latter in my clinic I can say to them: "Off you go, one day you'll be prime minister. I don't need to worry about you."

If you look at the literature on risk and protective factors in refugees, there is much research data collected by mental health services on this subject. Quite a big body of literature tells us that the children most at risk are those whose parents are mentally ill; have limited economic opportunities; cannot work; have spent time in detention in refugee camps; have been exposed to violence in their countries and during their time of transit; and have been discriminated post-arrival. Unaccompanied children and children of single parents are also at risk.

The protective factors evidenced in retrospective studies indicate that those who arrive as young children, if their families are together, employed and have socio-economic support have better chances. Three longitudinal prospective studies include risk and protective factors, right at the beginning. What the studies show is that the longer they have been in Australia, the better the children do and that if they have family and peer support and a sense of belonging and social inclusion, they will do well.

It is interesting to know that it is not only the family's socio-economic status that has an impact on wellbeing, but also their socio-economic status compared to their prior status. If they were wealthy before and suddenly find themselves in a lower social class and unemployed, that's much more traumatic and more risky to their mental health than if they were poor before and remain poor in the new country. While that evidence is there, it wasn't quite what we were looking at. We really wanted to look at children and gather an enormous amount of data about their families, so we embarked on this



longitudinal study with other doctors and refugee nurses working in Wollongong at the time.

The study design was to enrol children early on and follow them up for three years. We were interested not only in their social-emotional wellbeing but also in their physical health and their development, because those areas are not well studied. Our main objective was to identify the risks and protective factors that can classify children into kids who will do well anyway and kids who really need a lot of support from health services.

The child development measure is a play-based observational tool. We play with the child using standardised tools that have been normed in Australian children as opposed to asking parents if they believe their children are having difficulties in their development – because there is good evidence that many refugee parents will say, “No, my kids are fine” or “I’m not worried about my kids”. Whether they are or aren’t worried is another matter.

For our social-emotional wellbeing measures we used the Strengths & Difficulties questionnaire, a well-validated tool in refugee kids and kids from other cultures.

We have measured risk and protective factors using a bio-ecological model. The factors classically looked at in the child are: the age, gender and physical health and if there’s a disability. The family factors cover where they

come from and if the family is complete; if it is a case of an unaccompanied child or single parent; if there has been disclosure of parental trauma and torture; and if they have spent a long time in a refugee camp or in detention.

Then we consider settlement factors including the social and environmental factors for which Australia is responsible such as their education, English language literacy, socio-economic resources and access to welfare, housing, healthcare and community support. This amounted to more than 60 questions at each encounter with families.



In 2009 we set up a refugee screening program that enrolled every newly-arrived refugee and linked them to a GP, using it as a platform to ask families whether they would like to be part of a longitudinal study. The strength of this research is that it is a complete population-based cohort, not a cohort of those coming to a mental health service but a completely unbiased cohort of everybody arriving in a particular region. So if anybody was identified by the study as having a problem we could treat it, so ethically it made sense.

During that study time frame (2009–2013) 228 children arrived in the area. We ultimately enrolled 61

*“If we reduce children’s exposure to violence and discrimination, promote stability and a sense of belonging at school, at home and in neighbourhoods that will improve their outcomes.”*

children. Once they were enrolled 85 percent remained enrolled, so there was little dropout.

Many people did not enrol because we didn’t have enough interpreters speaking their language or enough nurses or we didn’t have a nurse and interpreter available on the same day. So the limitation was largely due to our funding constraints rather than people not wanting to be involved. People are very interested in research. The study sample was very representative of the entire Australian refugee intake at that time, but that is actually no longer the case: the demography has now changed. This shows how quickly research can go out of date.

We had 35 percent children from Burma, 20 percent from the Congo and 16 percent from Iraq: 40 percent of the parents had very low levels of education, 30 percent of the kids didn’t have a father present; 14 percent were born in a refugee camp and 11 percent of parents self-disclosed torture and trauma.

In terms of physical health we found nothing new, except for high rates of infectious and nutritional deficiencies. Many people had made the observation that refugee children become overweight with time. In fact, our finding was that they were overweight on arrival and they stayed the same over time. So even in refugee camps there is a proportion of children, 8 to 14 percent, who are overweight, which is very interesting compared to 50 years ago.

In terms of child development, 27 percent had only mild developmental problems detected in year two of the study, a year after they had arrived. All the children were developmentally normal by the third year of follow-up. What that tells us is that these kids are developmentally normal, all their problems were language-based and they all resolved over time. It was incredibly reassuring but, again, things have changed. At the time of the research, no disabled children were allowed to enter the country. Now they are selecting disabled children, so this evidence would be very different.

Coming to the social-emotional wellbeing score, the SDQ, at year two – 13 months after arrival – the overall score was abnormal at 13 percent. That’s not borderline, that’s purely abnormal. We would expect about 10 percent in Australian children so it was above average, but by year three it was down to 6 percent, actually below the Australian average: a significant difference over time. So in terms of social-emotional wellbeing these kids are doing extremely well, which is good news, even if 23 percent experience emotional symptoms, such as headaches, worries, feeling unhappy or fearful. That was not surprising, and by year three it was gone.

The other area where they seem to have difficulty in the first year is in peer relations, so they preferred to play alone, they said they didn’t have friends and were bullied at school – an important finding in terms of what we should be doing in the school settings. The high school kids were going to intensive English centres and the primary school kids to mainstream schools.

We put a lot of effort into linking kids with GPs and that was maintained throughout the study. Because of that, they had few presentations to the hospital emergency departments, which we consider a strength of our model. It will interest you to know that the early childhood services – the early childhood clinics, community health centres and the early childhood nursing services (which look after child development and assess whether children are on track for their development) are completely and utterly underutilised by these children. Only 23 percent use them at year two, so in the first year post-arrival and by the third year few kids are accessing early childhood services. If we consider these children at risk of developmental problems or language problems, they’re not using the existing mainstream resources.

There were some changes over time. Fortunately parents had increased employment and had improved English proficiency in the case of fathers. The mother filled in the form and said their partner’s English had improved, but in fact theirs hadn’t and I suspect that’s



because women tend to be more isolated. But there was a decrease in stressful life events. That's a standardised measure using the SRRS (Social Readjustment Rating Scale), it's also called the Life Events Score. Between the first year and the second year of being in Australia, people are experiencing a lot less stressful life events, a credit to our support systems.

Participants were widely studying English and accessing government financial support and 75 percent felt supported by their own community and 70 percent also by the general community. I would be very interested to test this today because I think people would feel even more isolated and marginalised with today's attitudes. In their country of origin most refugees were working or productive. About 15 percent were not working at all. In year two, 97 percent were unemployed. In year three, 87 percent were.

How can we know who is going to do well? If children came from Africa, if their father was present when they first arrived and if they had had fewer stressful life events in the previous year, their first year in Australia was less stressful. Those three groups were independently significant, so you could see kids with those three factors would do extremely well.

Other factors are also important, if not as significant. They work synergistically to produce a better outcome: a younger child will do better in cases where parents haven't experienced torture or trauma; in families that have community support; had family in Australia before they arrived; they had not experienced multiple

relocations, either of their school or of residence; and they came from families where there was financial and marital stability, so parents hadn't separated during the time.

If you add up all those protective factors, a child who has four or more will be absolutely fine. According to this study, a child who has four or more protective factors will have normal social and emotional wellbeing by two and a half years after arrival and probably doesn't need much in terms of follow-up. But a child who has fewer than four protective factors will experience poor social-emotional wellbeing (high SDQ) and will need a lot of support.

One of the next steps is to develop a tool for asking questions – not 63 questions, but 10! – to identify the kids into these two groups.

We asked parents a lot about how they found this research and all said the questions were easy to answer, they supported the research, it was respectful, and didn't raise uncomfortable feelings for them. This was further demonstrated by the families involved staying in the study.

**T**hus the research shows most of these children, unless they have an identified disability, will develop normally and psychological wellbeing will improve over time. However, there is a small proportion of children who are not doing well and we can probably identify who they are. From a clinical perspective, if we can identify those kids



heading for a poor trajectory, can we buffer that in some way? Can we add extra resources to make sure they finish up okay?

The health system is about providing services and resources, but there are probably many other things we can do to assist, interventions that can add value and get them back on track, promote resilience and optimise outcomes.

So if you're thinking of those concentric circles at child and family, if we reduce children's exposure to violence and discrimination, promote stability and a sense of belonging at school, at home and in neighbourhoods, that will improve their outcomes.

If we promote access to health services and mental health services, facilitate integration of children and family into host communities through sporting activities, home programs, tutoring programs that engage refugee families, it will bring positive outcomes. A combination of first refugee-specific services and a gradual integration into mainstream services will provide positive outcomes. Staying too long in the refugee community will only work against overall wellbeing.

We need to prioritise reunification of separated family members and providing support for families to remain intact. There seems to be a significant number, I think about 30 percent, who lost their marital relationships over the first three years of arrival, so we need to be thinking about how we can support those in that situation.

At community and society levels, improvements are needed in the policy and national agenda areas. That's

about promoting a welcoming environment, facilitating employment opportunities, and that means recognising previous work experience, qualifications and supporting education – homework support, tutoring, and access to social and economic resources to help refugees move out of poverty.

Wollongong is regarded as a nice place to resettle as a refugee, so it could be that that particular sample is doing well and other samples are not doing so well. I would have loved to have done this study in different settings. Unfortunately we have not got funding to do that, but I would be interested to do so one day. There were also key questions about domestic violence and the psychological wellbeing of carers and exposure to torture, trauma and rape in parents that we knew we should ask, but we could not because it wasn't appropriate with children in the room so we asked these questions in their homes.

I have listed all those interventions and they sound easy – social inclusion, happy school, happy neighbourhood – but we do not know how to achieve that. We have common-sense suggestions, but there aren't good randomised controlled trials or high-quality evidence about exactly how we achieve it. What programs achieve employment? What programs achieve social inclusion? What programs will enable refugee kids achieve their full educational potential?

These issues can be explored in the next research project. We also need to find a tool emanating from the work we've done on risk and protective factors that is clinically useful for the next phase. R



Fifth Annual Conference of the International Society for Health and Human Rights (ISHHR). Novi Sad, Serbia 2017

*In September last year, in the midst of what has been labelled one of the worst humanitarian and migration crises to date, more than 170 human rights defenders from all corners of the world convened in Novi Sad, Serbia for the fifth annual conference of the International Society for Health & Human Rights (ISHHR), with a robust agenda and one mission in mind – progress. **DANIELA AROCHE** provides a personal recap of the event and an overview of the key insights presented throughout the four days.*

# ISHHR 2017: A snapshot of Novi Sad, Serbia

**A**rriving at the buzzing Novi Sad Fair (Novosadski Sajam) hall in the heart of the city, it was impossible not to be swept up in the joyful exchanges of meeting and greeting as attendees arrived at the colossal venue for this meeting of minds.

The excitement was warranted. After all, this event – organised every four years – brought together industry thought-leaders, friends and colleagues from across the world (28 countries, to be exact). For many, the global reunion afforded them the opportunity to exchange ideas and discuss their specialities in detail and within a collegial environment. Many were crossing paths for the first time after years of working collaboratively over Skype and email.

While the modern, tumultuous history of Novi Sad dates back little more than three hundred years, archaeology shows that the area was populated even in the Palaeolithic period. This crossroads where the Danube and Tisza rivers meet marks where civilisations from East and West have collided, ethnic and religious groups have found shelter and numerous peoples have visited and settled, from Romans to Gepids, Huns, Avars, Slavs, Germans, Hungarians, Byzantines and Turks. It has also been the site of unspeakable

human rights violations.

Today, however – having been crowned one of the three European Capital of Culture cities for 2021 – it seems the city has been reborn as a place that champions the importance of diversity and fellowship and, in the process, it has become an example of what is achievable when a holistic approach is taken to healing a painful and fragmented past.

These aspects of the city's history, together with Serbia's position as a transit state in the so-called "West Balkan route" – were not lost on the 2017 ISHHR organising committee (led by Mariano Coello of STARTTS) and were, in fact, pivotal in selecting Novi Sad as the host city for the event.

Thus it was that, in the heart of this post-conflict region, health and human services professionals converged from all corners of the globe to discuss the effects of war, unrest, persecution, forced migration and mass displacement on international communities; the subsequent response of the European neighbourhood; and how to foster positive change and proactive solutions for the future.

Titled "Mental health, mass people displacement and ethnic minorities" and split into two days of workshops and

two full conference days, the 2017 ISHHR program featured 50 talks in areas as diverse as clinical research, innovative pilot support programs, new therapeutic modalities, neurofeedback and provided, *inter alia*, revelatory insights into the refugee experience.

Prominent speakers and professionals were welcomed from the human rights, health, psychology and psychiatry sectors, including UN keynote speaker Dr Jeff Crisp, Dr Boris Droždek, and UN Women Policy Advisor on Governance, Peace and Security, Sabine Freizer.

Insightful, investigative and, at times, controversial, the conference was distilled into three key themes: examination, introspection and review.

As the days' topics unravelled and speakers weaved their narratives into the mix, it became clear many were seizing the opportunity of a global platform to dissect the global refugee situation as a collective, in a bid to share and learn in detail exactly how those involved are responding and have responded across Europe and beyond.

In this vein – in a rare talk representing the media's viewpoint and the part it plays in reporting on conflict, human rights abuses, torture and trauma – Natasha Dokovska and Filip Spirovski of Journalists For Human Rights (JHR), Macedonia, opened one of the first workshops of the first day, September 26, to shine a light on what journalists experience before, after and during reporting from conflict zones and the negative effects of not having the proper support systems and procedures in place.

Titled “The needs of journalists who cover crises in Republic of Macedonia”, their talk presented research focused on the migrant crisis in Macedonia and drew on a survey of 48 journalists (18 local, 30 foreign) from the Macedonian and Greek sides, investigating how journalists experience traumatic stress and psychological distress and the factors that put journalists at risk of post-traumatic stress disorder (PTSD).

Almost all the journalists interviewed experienced stress while covering refugee crises, with key factors including lack of infrastructure and tech support in developing countries, and limited access to officials and critical information. The top three were listed as: contact with refugees (20 journalists); the testimony of suffering of children and women (12); and confrontation with the police (six).

The accumulation of these stressors, combined with the lack of conflict training available in Macedonia (in contrast to other countries, such as Switzerland), exposed the reporters to the effects of secondary victimisation, psychological stress and fear of strangers, and identification with the protagonists. Yet only three of the local journalists sought counselling from an expert.

Dokovska pointed out that the three who sought support were women. These factors combined to suggest

a lack of support and serious stigmatisation in the industry.

Commenting on sector stigma, the dearth of information on the social and psychological challenges facing journalists and the lack of adequate support for reporters, Dokovska added:

“Research shows that being a journalist is one of the most stressful professions in the world, yet so little is known about the exposure of these influences and crisis situations on journalists. We need to focus more on these topics, journalists need to speak out and they need to feel that they can speak out about these things. Because right now, it's not generally accepted in the industry to have any psychological repercussions post-mission.”

The study from JHR also sparked discussions in audience workshops post-talk about the flow-on effects of inadequate support and training for media, and how that can lead to skewed reporting, public distrust of media and inaccurate public perception of current events.

One audience member commented that “information cannot be innocent” and that “we need to be careful when talking about victims to ensure that we [the media] don't marginalise them further through skewed, overly negative or insensitive reporting and excessive victimisation”.

These sentiments –the shortcomings of support systems, response policies, the increasing public distrust of media and NGOs and the proliferation of misconceptions around conflicts – were themes echoed in talk that followed, particularly those by Dr Akande Williams (“Politics, Petrol Dollars & Human Rights”), Gail Womersley of Médecins sans Frontières and the conference day panel discussion by Dr Anuj Kapilashrami (University of Edinburgh), Neil Quinn (University of Strathclyde) and Remco van de Pas (Maastricht University), plus Crisp's later keynote speech later.

His inauguration of the first conference day of the event (September 28) kicked off with thought-provoking questions that essentially queried the validity and accuracy of statements in the press, asking:

“Is this truly an unprecedented refugee crisis? Is it a global refugee crisis?”

Drawing on his experience in senior positions with UNHCR, Refugees International and the Global Commission on International Migration, Crisp debunked generalisations and widely-held notions about the present refugee situation, particularly in Europe.

Crisp suggests “that we, in fact, don't have a refugee crisis on our hands in the sense that we are being completely overwhelmed by numbers, but rather what we have witnessed and what we are experiencing are two other forms of crisis: an emergency prevention and



response crisis; and a policy and protection crisis.”

His review spotlighted areas of hope for the future, but also pointed out shortcomings in responses and policy-making by organisations such as the UN Security Council, as well as institutional and political bodies, particularly the European Union.

“What has become very apparent over the last few years is that the UN Peace and Security councils have become highly dysfunctional,” Crisp said.

“Syria provides a perfect example of the way that the UN Security Council cannot provide the function that it was designed for. In fact, four of the five permanent members of the council are directly involved in the armed conflict. Rather than bringing peace and security to the world, the permanent members of that council are actually actively involved in that conflict.”

He also noted that at the same time as this failure of emergency and prevention, this year there has been a serious lack of humanitarian investment. Figures presented by Crisp show the current reality is that “the UN has appealed for about US\$22 billion for humanitarian operations around the world, but less than US\$10 billion has actually been provided”.

Additionally, the Syrian insurgency has left other countries scraping for funds.

“Countries such as Uganda that have admitted very large numbers of refugees are unable to get the funding they need to support those refugees because so much of the money has been pooled towards the Syrian crisis.”

Turning his gaze on the European neighbourhood, Crisp said:

“In terms of emergency prevention, the European Union really failed very badly in 2015 when refugees started to come to this continent.

“There was a complete lack of preparedness, planning and cooperation among EU member states. I would argue that the influx experienced in 2015 and 2016 could have been handled and managed in a much more effective manner if the European Union had actually got its act together. So we have a crisis, in fact, not of refugee numbers, but of the international community’s ability to prevent and to respond to humanitarian emergencies and refugee movements.”

In contrast to Crisp’s broader overview, the panel of Shaun Nemorin (STARTTS), PHD graduate Olivera Hinić and photographer Blake Noyes homed in on



“The Forgotten Rohingya: An Emergency in Northern Rakhine State, Myanmar” on 27 September to give audiences insights into the Rohingya people in the eye of the storm. From their time spent in Rakhine, the trio depicted the harsh realities of what Noyes stated as “probably the most serious humanitarian crisis at the moment”.

Their talks were accompanied by photographs by Noyes – displayed as a photo exhibition through the hallways of 2017 ISHHR venue – highlighting the plight of Rohingya Muslims in Myanmar and around the world.

But while the photographs served as sombre reminders of the continued suffering of the Rohingya, they also provided a window into a community not often seen as anything but victims – something Noyes says he tried to dispel through his selection of imagery.

“The Rohingya are not just victims of a government-sponsored ethnic cleansing and genocide, they are also survivors, fighters, teachers, brothers and sisters like us with senses of humour, work ethics and respect for their families and communities,” Noyes said.

The panel also went on to reveal hopeful developments evolving within the Rohingya camp through the creation of community groups, and by embracing cultural leadership and self-expression, with the younger generation taking to social media as a platform for forging connections and fostering communication on their own terms.

A key example of how new media is shaping the Rohingya story was the screening of a short documentary film and interview with Ziaur Rahman, an activist from the Rohingya Muslims Community who is living in Kuala Lumpur, using his video blog “Meri Kahaani (My Story)” to document his journey and that of other urban refugees who have been granted asylum on foreign shores.

Rahman’s short film – Selfie with the Prime Minister, co-directed by first-time Malaysian filmmakers Nor Arlene Tan and Grace Cho Hee Won – also went on to open the 14th edition of Malaysia’s Freedom Film Festival, achieving the aim of eclipsing the familiar aspects of the Rohingya plight in favour

of attaching a human face to the humanitarian crisis and helping to override local negative perceptions of refugees.

Continuing with a focus on the next generation of Rohingya, Hinić’s related talk “The Rohingya people of Arakan” on day one of the conference agenda (28 September) went on to explore the notion of education as a protective factor, revealing that she found through her research and interaction with the community that while education “rarely protected them from hard labour, it [education] often served as a shield against depression and further traumatisation”.

“Education could be the key in prevention and healing of trauma,” Hinić said, stressing that “what can and should be done for the Rohingya [is] allowing them access to education anywhere they are residing,

and especially in host countries, which should serve as a good example and an act of good will that can go a long way”.

Indeed, by the close of the conference it was abundantly clear that much more can, and should be done to tackle global turmoil and conflict, mass people displacement and associated traumas; and that improvements must be made in responses to crises by international bodies, global media and health and human service providers across the board.

Yet, despite the long road ahead and the reality that there’s much more to do, it is important to note that the prevailing mood of the 2017 ISHHR event was

overwhelmingly positive.

Stimulated by four days of knowledge-sharing and networking, there was a strong sense that the hearts and minds of human rights defenders from around the world had been reinvigorated; and that the ISHHR event itself has become part of a very important step towards illuminating the guidelines for a brighter future – one where, hopefully, we can all make the world a better place. R

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*Find excerpts of the 2017 presentations, speaker interviews and event images on the official ISHHR media hub at [www.ishhr.com/media-hub](http://www.ishhr.com/media-hub). Stay informed about the next ISHHR Conference in Medellín at [www.ishhr.com](http://www.ishhr.com).*



PROFILE

# Victor Madrigal-Borloz — The making of a militant conscience

*Lawyer and human rights activist, Victor Madrigal-Borloz has been appointed UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity. He spoke to JOHN HAMPSHIRE about his new mandate.*

In 1987, events half a world apart marked key milestones for two Costa Rica citizens. The Central American nation's president, Óscar Arias, won the Nobel Peace Prize; and a Costa Rican exchange student completed his secondary education with a Victorian Certificate of Education from what was then Doncaster High School in Melbourne.

Arias couldn't know that his achievement would help inspire the young Victor Madrigal-Borloz to a life of speaking out for the world's victims of human rights abuses and discrimination, but it did. And in January this year, Madrigal-Borloz took up his crucial role as the United Nations' Independent Expert on Protection against violence and discrimination based on sexual orientation and gender identity.

While Arias planted the seed, Madrigal-Borloz's commitment to human rights was nurtured and brought to fruition when he studied law at the University of Costa Rica in the nation's capital, San José, where he was born. Before graduating with honours he became fascinated with international students and their issues during "moot courts" – where students take all the roles of participants in real legal proceedings. "They inspired me to follow up into international law and to believe that it's a great area of law, because it establishes a set of rules that allow countries and people to live in peace," Madrigal-Borloz said from his office as secretary-general of the International Rehabilitation Council for Torture Victims (IRCT) in Copenhagen, where he now lives.

"And the connection with human rights, which of course is an area within international law, came because the Inter-American Court of Human Rights is in Costa Rica. So it was a natural kind of connection to make. It was, and still is, probably the major institution of international law in Costa Rica.

"There was also a practical connection: the court has a library that was and continues to be the best international law library in Central America, so it made sense that I would do my research there as a student."

Of course, a Costa Rican born in 1969 did not have to look far to find oppression and civil turmoil, with Nicaragua to the north and Panama to the south. The 1960s and 70s saw the violent overthrow of the oppressive Somoza regime in Nicaragua by the Sandinistas, among whom was the key figure of Daniel Ortega. Once a hero to many Nicaraguans, he was first elected president in 1984. After several turbulent decades he was elected president again in 2006 and has, ironically, since become what many now see as an equally oppressive leader. In Panama, political turmoil was personified by the dictatorship of Manuel Noriega from 1983 until his overthrow by a US military invasion in 1989.

As Madrigal-Borloz wryly noted: "When you grow up in Central America in the 1970s and 80s, you grow up being a witness to what happens when rules are not respected and when international human rights law is not respected."

Such dreadful abuses of human rights might seem an overwhelming challenge to a young lawyer, but in 1995 when the newly graduated Madrigal-Borloz became a trials clerk at the Inter-American Court he quickly found a focus.

"When you work on the serious cases before Inter-American Court, what you are is the recipient of the sacrifice and the work of many people and organisations. First of all the victims, and second those organisation like STARTTS that are not only doing advocacy, but are the ones providing support to the victims."

"So you stand in awe not only of the situations and the depravity of the violations of human rights, but also of the enormous amount of work that it takes to get [those victims and organisations] there. Your job is to make sure that you are as respectful as possible of what you have in front of you, while at the same time dealing with the legal process. It becomes a very technical exercise, but with an awareness of the enormous human drama behind it."

Far from being dismayed by the size of the global human rights challenge, Madrigal-Borloz sees significant progress being made within his lifetime.

"I'll give you two examples, the first in relation to torture victims. We have witnessed the change from where they have been seen as either recipients of charity or deserving of pity, to agents in their own rehabilitation and justice – from where victimisation or the notion of being a victim of torture has gone from a very negative connotation of somebody who seeks compromise to somebody who's seeking justice. That's very encouraging to me."

"The other one is, of course, in relation to LGBTQI issues. During our lifetime we have seen an enormous change in social laws and the way societies understand the rights of lesbians, gays, trans, and bisexual persons. I'm very lucky that in the two areas that I work, I can see changes that are very, very specific."

Madrigal-Borloz began working specifically on LGBTQI rights rather late in his career when, in 2009, the Inter-American Commission on Human Rights (a body of the Organization of American States) was tasked by the OAS to concern itself with the issue: "It was really just a coincidence that I was at the time in charge of the commission's political affairs and had to take it forward, advising technically on the creation of its LGBTQI unit.



"I developed quite an interest on the issue pretty much immediately, because it's fascinating."

Again, Madrigal-Borloz found that the way to navigate the extraordinary complexities of LGBTI issues around the world was to focus on the legal divide confronting the most deeply affected.

"The criteria through which you can address that divide quite easily is the idea of criminalisation: 72 countries still maintain criminalisation for same-sex relations, 10 of them with the death penalty. Of the remaining 62, penalties range from two months to 25 years in jail.

"Now, with those 72 countries, it basically means that more than three billion people live in countries where they're facing criminalisation for same-sex relations. Three billion people – almost half the world's population."

Perhaps surprisingly for an internationalist such as Madrigal-Borloz, he believes firmly that the impetus for the type of social change that will defeat human rights abuses must come from the lower echelons of society as much as from the national government level.

"Change is really only sustainable when it percolates to the most local level. Eleanor Roosevelt used to say that human rights exist in the everyday life and in everyday places. The idea is that human rights are best understood when you look at your everyday life and see a life free of discrimination and violence.

"But of course there needs to be an understanding that in order for that to happen and in order for it to be sustainable, there needs to be work at all levels of the equation. And the global work that creates that understanding is where I am acting in my role."

It would be a mistake to think that all UN nations welcome this level of scrutiny of their human rights record in general and on LGBTQI issues in particular, Madrigal-Borloz says.

"I can tell you that the creation of the mandate I have as Independent Expert on Protection was extremely controversial. It was opposed in a very determined way

by a group of countries that were of the opinion that there was no reason to create such a mandate.

"Of course, in the end there was a majority of states that acknowledged that violence and discrimination on the basis of sexual orientation and gender identity is a major concern and needs to be addressed, but there was a significant group of states that was not at all in favour of it and was very much hoping that the mandate would not be created."

It's not hard to see why Madrigal-Borloz's key targets were outlined in his first report as Independent Expert released in June this year ([http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/HRC/38/43](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/HRC/38/43)), but the point that has garnered most attention is its condemnation of so-called conversion therapy: "Considering the pain and suffering caused and the implicit discriminatory purpose and intent of these acts, they may constitute torture or other cruel, inhuman or degrading treatment or punishment" by states that permit or even encourage these practices.

In this context, decriminalisation is an incredibly important agenda at the global level, Madrigal-Borloz says. "It's necessary to ensure the global understanding of the importance of creating a world where nobody thinks that they're a criminal because of who they are."

"Second, it's vital to bring visibility to the violence and discrimination perpetrated against lesbians, gays, bisexual and trans persons so that no state can say that there is not such a thing as gay and lesbian persons – a well-established discourse in certain areas of the world where it's imagined that the concept of sexual orientation and gender identities are a Western construct."

Vital issues, indeed. To the extent that the formative year the young Madrigal-Borloz spent among "extremely friendly" Australians – and which he describes as "an awakening to life and friendships" that he retains to this day – helped form such a towering social conscience, it must be counted one of the nation's outstanding successes.



Prof. Peter Shergold, Coordinator General for Refugee resettlement in NSW and Shaun Nemorin, Team Leader of STARTTS' School Liaison Program at ABC Studios, Sydney. Photo, Karen Collier, STARTTS.



# *Working to improve refugee resettlement in Australia*

**PETER SHERGOLD** is the Coordinator-General for Refugee Resettlement in New South Wales. He has been involved in a number of initiatives to assist newly arrived refugees get jobs. **SHAUN NEMORIN** is team leader of STARTTS' School Liaison Program. This is an edited transcript of an interview on ABC Radio National about refugee resettlement.

**What are the major difficulties and barriers that refugees face once they have been accepted into Australia, as far as being able to settle down and get on with making a new life?**

**PS:** Almost every refugee who arrives here comes fleeing personal tragedy and wants to build a new life. Refugees want to be self-reliant. They haven't selected Australia because they think it provides a safety net of welfare support; they come here to build a new life. So it's obvious to me we have to provide good settlement services, and we do that pretty well – health, education, justice services and community support – but it seemed to me there were two major problems we needed to address: one was bureaucratic, the other was a gap in settlement services.

**Generally.**

Yes, while the New South Wales [NSW] government agencies worked with Commonwealth agencies, it was good but it was not sufficient. Now, community organisations that work with refugees have become collaborators and are part of the partnership, looking at how settlement services can be improved. When I talked to refugees I was overwhelmed by how appreciative they were of government support, but the question raised at every meeting was about jobs. They said, "We appreciate getting our children into school, accessing English classes, but how can I get a job?" Most refugees see that as the marker. If they can get employment, they become self-reliant. So when we looked at NSW, of course we wanted to improve the education services, the support for torture and trauma survivors and so on, but a lot of our effort has gone into helping people find their way into a career path and build new employment opportunities. That's the additional part we have focused on in NSW.

**We'll talk about employment opportunities soon, but let's also hear about another program, a school liaison**

service that's run by the Service for the Treatment & Rehabilitation of Torture and Trauma Survivors, (STARTTS). The team leader is Shaun Nemorin. Shaun, tell us how this schools program works. Is it in primary schools, high schools?

**SN:** It's in both. STARTTS is a specialist service that provides clinical, psychosocial and community development interventions for individuals, families and communities to help them heal from their experiences of war and persecution. The program I manage – the School Liaison Program – works alongside a group of child and adolescent counsellors who also work at STARTTS in specialist youth teams. My team works in partnership with the Department of Education, Catholic schools and non-government schools, and through these we have been able to work in about 150 schools across the state. Last year we had referrals from 1,000 students for psychotherapy and also for therapeutic and youth interventions, that were culturally appropriate.

**Shaun, you must have met very many young people who've suffered trauma. What sort of things do they now mostly struggle with as a consequence of that?**

It tends to vary. It should first be acknowledged that not every student who comes to Australia as a refugee will require counselling. Often it is the positive relationships they build in Australia and the care by teachers that provide one of the biggest healing tools and, as Bruce Perry said "what traumatised children and their families most need is a healthy community to buffer the pain, the stress and loss caused by their earlier trauma". What works is any intervention that increases the number and quality of their relationships, so that translates into welcoming refugees. When communities, environments and schools provide that welcome, there is often no need to refer kids for counselling. However, some might need some extra support.



**So give me an example. Trauma can manifest in various ways, it can manifest, for example, in aggressive behaviour or anger. How do you deal with that?**

I can give you an example of a lad who I used to work with who may have been described as an angry boy. I mean, sometimes you can't blame some of these kids because of the experiences they had to endure. We grew up in a wonderful country and we are taught the good guys win, we are taught the value of justice. But what happens when you come from a place where the good guys lose? That's the reason some of them come to Australia in the first place.

At STARTTS we try to come up with interventions that resonate with young people. Some of my colleagues came up with a program called Sporting Linx. They were able to conceptualise a program based on football. Young refugees have played football in their home countries or in refugee camps. So my colleagues and I were able to conceptualise an intervention incorporating psychosocial tools, such as mindfulness and cognitive behavioural approaches around goal-setting. Importantly, it was a program that helped people use a sporting field as a metaphor for how to go about their lives in a new land and also how to unpack their experiences pre-arrival, so that involved playing within a set of rules and together. We also did this alongside the Western Sydney Wanderers football club.

I helped the young man I mentioned earlier. Within the confines of the sporting field I was able to help with exercises to promote emotional regulation, and to control anger we did breathing exercises and psychoeducation. We discussed why he was experiencing outbursts of anger. He was able to take these lessons into the classroom and the playground and he improved significantly. He is a natural leader and soon he was nominated for the student representative council at school. In fact, this year he is studying Criminology at

university and he hopes to be a police officer.

**Peter Shergold, would you say this sort of school liaison service is an example of what you talked about? The teamwork between a couple of different government departments and an NGO is I think what I'm getting from you?**

PS: I think it is. STARTTS is a wonderful organisation. The Department of Education of course has services to help migrant children, and particularly refugee children, get a start. The key is to have the two organisations working together and that is what Shaun's talking about. But I think what Shaun is also saying is you don't just do this by treating the children or the person looking for work as a case to be managed, a beneficiary or a recipient. The way STARTTS and Shaun deal with children is a little bit the way I and the Refugee Employment Support Program deal with adults: it's about giving refugees the support to be able to take control of their own lives. Refugees are people who have been forced to flee, but if you think about it, they're risk-takers – they tend to be entrepreneurial, which is why refugees are the most likely Australians to start up their own business.

**To start a small business.**

Definitely. As Chancellor of Western Sydney University, it is astonishing that we have more than 400 students who came to Australia on special humanitarian visas. So if you open up that opportunity in the way that Shaun is talking about, people will grab that opportunity.

**Shaun, how do ongoing war or other atrocities in their country of origin continue to affect those young people?**

SN: It definitely does. Overseas wars are a part of the reality of refugees in Australia. Through Facebook, phone and Skype we constantly get news that deeply

impacts kids here. In relation to the current Rohingya crisis, six months ago I received a phone call from a school principal. This is the way the School Liaison Program works, where we are invited by schools to make presentations about the specific needs of its students. Rohingya kids did not want to come to school because they were traumatised by what was happening in their homeland. They had been here for some years, but they were affected by those events. In another life I worked for UNHCR and I was based in Cox's Bazar working with the Rohingya there and also in [Myanmar's] northern Rakhine state. So I organised how we would work with some of those kids. We decided to use some narrative therapy approaches, but I was also able to speak with the teachers and advise them on how to better work with the kids and understand them better.

#### **What's a narrative therapy approach?**

**SN:** It is about trying to change their story. Instead of looking at themselves as victims, it is about looking at themselves as survivors and getting them to look at their history as a way that empowers them and to feel proud of their experiences, and also for them to realise they can contribute to Australia as well. It was a successful approach. From the feedback I received from the schools the kids wanted to continue studying, but the biggest trauma was triggered by their parents who were transfixed by the videos in Facebook and on the news, the scenes of people fleeing across the Naf River into Bangladesh. And how can you blame them? The kids were so traumatised by having their parents show them these videos – often well-meaning – but it affected them. It sort of feeds into a whole-of-school narrative in that it's not just about the healing of students and children, but also the healing lies within their parents as well. Regardless of all the work we might be able to do within the school setting, if the students go home every day to traumatised parents it will obviously impact them significantly.

**PS:** One of the things I discovered in my time working with Shaun and others is how complex post-traumatic stress is, because sometimes you talk to children or adults and you can tell that they are suffering and need support. Other times you talk to them and they seem perfectly fine and, in fact, may continue to

be fine almost for the rest of their lives. But what I have discovered, both with children and adults, is that if something happens years after they have arrived it will bring back that flood of memories. It's at that stage we have to intervene. I know, for example, people who are employed are much less likely to become depressed once they are here. But I also have to accept the fact that there will be times during their work careers where we are going to have to go back and deal with the issues that still hold them back.

**On that employment front, many of us have had the experience of, say, you get into a cab and the taxi driver tells you that he was an engineer in Afghanistan or you meet a cleaner who used to be a university lecturer in Syria ... Apart from language, what other barriers do newly-arrived refugees face in getting work that matches their skills here?**

**PS:** And matches their ambitions! Obviously, language is a part of it. Large numbers of the additional refugees we have taken from Syria and Iraq have low-level English skills. But let me say, many come from countries with high-quality education before civil wars broke out. Many of them, in fact the majority I speak to, already speak two and sometimes three languages, so their ability to learn English is significantly higher. Many of them are skilled workers and one of the difficulties is getting their overseas qualifications or experience recognised. Partly it's getting that first opportunity. If you go for a job interview,

employers will say, "Well, where is your reference from your last job?" or "Where is the reference from your school?"

One key aim is to find positions for refugees in the NSW public sector. We found 300 people employment through the Refugee Employment Support Program, which is giving that first opportunity to refugees, because once you are in the workplace you start to learn much faster than you do just being in your community. More than that, three, six or nine months down the track you will have a reference and you will be on your way. One of the things I have discovered is that if you give refugees employment opportunities, they will almost always hold onto that job until something better comes along or until they get an opportunity to go to TAFE or go to university. R

# A Bridge to Justice:



*Building the case for an  
integrated legal practice*

**ANNE MAINSBRIDGE**, a human rights lawyer who has provided legal support to clients of STARTTS, reflects on her time as a lawyer working within a clinical practice and what she has learnt about the legal needs of refugee survivors.

**I** studied psychology at university before I became a lawyer. I never worked as a psychologist, but I was always fascinated by the interplay between psychology and the law. I believed there was potential for the two disciplines to work together more collaboratively and holistically. During my years as a lawyer in the community sector I wished I had a better understanding of the mental health conditions of some of my clients, as the knowledge may have led to better outcomes.

In 2009 I applied for a job as a solicitor with the Mental Health Legal Services Project (MHLSP). It was a pilot project set up by the Public Interest Advocacy Centre to assess whether people with mental illness were more likely to have their legal needs met if there was a close connection between their legal and community service providers. STARTTS was taking part in the MHLSP and I was thrilled to be appointed as the project lawyer. By the end of my first day I had five clients!

Since then the legal project has been through some changes. After the MHLSP it was the STARTTS Legal Project and in 2016 it became Bridge to Justice. However, the basic premise was the same: a lawyer, at STARTTS, working closely with clinicians to identify clients with legal issues then trying to resolve them.

The law and Australia's legal system can be bewildering and stressful for refugees. There are obvious barriers: language, lack of understanding of the legal system and being unable to afford a lawyer. More insidious, though, is the fear and mistrust trauma survivors often have for legal systems, because of experiences in their countries of origin.

Many STARTTS clients are from nations where the law is used as a tool of oppression, where judges and police are corrupt and confidentiality is non-existent. It can therefore be very difficult for clients to trust that things are different here. Even if they have strong legal cases, they may be reluctant to pursue them. Even clients who are the victims of very serious crimes may be fearful of going to the police.

The impact of trauma is another major barrier. Many suffer from PTSD symptoms that can affect their memory, concentration and other cognitive functions. This can make it hard for them not only to access legal help in the first place, but also to do things to help their case, such as providing a detailed, coherent statement or compiling supporting evidence.

Traditionally, legal and non-legal services work in ways that are physically and operationally distinct. At STARTTS, however, the legal support service was embedded within the clinical service. I was located at STARTTS and saw clients who had been referred to me by their counsellors. I usually met them in the counselling rooms rather than my office, and ideally in the presence of their counsellors. Steps were always taken to protect confidentiality and obtain client consent to any sharing of information<sup>1</sup>.

The legal project gave clients information on their legal problems. It also referred them to legal service providers, supported them through the referral process and helped them follow up on the legal advice they had been given. In 2016 Isabelle Roe, a graduate social worker, was employed to provide practical assistance and support for clients at legal appointments and meetings with service providers. All services were free.

While migration issues (such as applications for protection visas, family reunion or citizenship) were often uppermost in clients' minds, it was not uncommon for them to have problems with fines and personal injury, family law, domestic violence and criminal law matters.

Often their legal issues were complex and multi-layered. In one very sad case a client's daughter had suicided, and we helped her make a statement to the police and understand the coronial system. In the weeks after the daughter's death, the client began to receive letters for unpaid debts as well as a notice from her landlord threatening to evict her because she had not paid her rent. The client had grown up in a refugee camp, was illiterate in her own language and did not speak English. It soon became clear that while she had been

*“Many STARTTS clients are from nations where the law is used as a tool of oppression, where judges and police are corrupt and confidentiality is non-existent.”*

alive the daughter had taken on the role of “cultural broker” for the family, dealing with service providers and paying the rent and other bills. While I negotiated with the landlord and the creditors for extensions of time to pay, STARTTS counsellors empowered the client to take on the role of managing the family’s finances.

Legal issues can escalate very quickly and become urgent either because clients avoid taking action or they do not know where to go for help. I remember seeing someone at 4pm on a Friday afternoon. The then Department of Immigration and Border Protection had refused his application for citizenship and he wanted to appeal to the Administrative Appeals Tribunal. It turned out the time limit for lodging the appeal expired at 5pm that day. We managed to download the application form, fill it in and lodge it by fax with just two minutes to spare. The client was then referred to a pro-bono lawyer and ultimately his appeal was successful.

The most recent *Bridge to Justice Evaluation Survey* (carried out in November 2017) confirmed the results of previous evaluations<sup>2</sup> by showing that the project has had a strong impact on access to justice: 87 percent of survey participants stated that without the legal project, their clients would not have achieved the outcomes they did. As one counsellor said: “I have referred clients to Bridge to Justice in situations where they felt like no one could provide them with support around their visa issues. The service provided by Bridge to Justice has provided clients with the support they may not have been able to access on their own. Legal assistance services are not as personalised. I could work closely with [the Project lawyer] around the client’s symptoms. The client felt she could trust [the Project lawyer] because she was “one of us”.

There was strong support for the integrated model, as a counsellor indicated: “I think legal issues are an integral part of refugee resettlement, particularly for asylum-seekers, and also for family reunion. I have noticed an enormous difference for all of my clients whom I referred to the legal project, and I have come to realise that legal issues being addressed properly are of critical importance for my clients. I think this project being located within STARTTS has meant that [the Project lawyer] had an insiders’ knowledge and also connections with STARTTS counsellors, which made the work so much more beneficial for our clients”.

The results of the 2017 survey indicated that the Project had impacted significantly on clients’ mental health: “The project has assisted clients with legal issues, but this has also had the ripple effect in terms of improved mental health, which in turn assists the counsellors to continue with therapeutic work,” a participant said.

Eighty-eight percent of clients reported that they had observed a positive impact on their mental health following referral to the Project. A common response was they became more confident both in themselves, and in positive legal outcomes. Participants also noted reduced anxiety and a greater willingness to engage in counselling. As a counsellor explained, “My client felt more confident, became more able to advocate for herself, she looked more cheerful and happy as she got more hope in justice.” The counsellor added that it reduced stress levels, increased confidence in positive outcomes, and created a better outlook about the future.

According to the counsellor, clients’ engagement in counselling has improved. “They are more open to talking about mental health issues due to the support they are receiving on their visa, often the two are interconnected. They have always been very promptly contacted by Bridge to Justice, and an appointment has been organised with them soon after. Building this rapport with clients and their willingness to seek mental health support has increased due to this.”

Participants also reported better sleep, reduced anxiety and reduced frequency of suicidal thoughts among clients, with 62 percent observing that clients had reported other positive changes as a result of their legal assistance, such as improved relationships with family and others, better understanding of rights and legal processes and greater optimism about the future.

From the outset clinicians have embraced the legal project, consistently reporting that it has enabled them to focus on counselling work rather than having to spend



Photo courtesy Anne Mainsbridge

valuable clinical time trying to refer clients to legal services. At the same time, they also reported that it has given them a better understanding of the legal system which has been invaluable to their work. “Having a lawyer on site even just to ask questions and seek advice is absolutely paramount and makes our jobs as counsellors much easier and more efficient” was one comment. Another was: “Great help for the counsellors as well, as the program is providing a lot of useful information to us (organising talks and training, informing about changes in legislation and sharing resources).” Significantly, all participants in the 2017 survey indicated they wanted the legal project to continue.

Working at STARTTS and seeing the way clinicians work, I have learned a lot about effective communication with refugee clients. The clinicians are incredibly skilful in the way they negotiate cultural issues, work with interpreters and respond to client manifestations of trauma. These are not usually things lawyers learn at law school.

Because counsellors briefed me fully on a client’s mental health issues before a meeting, I was able to work much more holistically and avoid saying or doing anything that might retrigger their trauma or lose their trust.

As clients already trusted their counsellors, they were more likely to trust me. One described this beautifully by saying that she felt as though she was part of a “circle of trust”. Trust promotes better legal outcomes, because clients are likely to be more forthcoming than they might be with a lawyer they meet for the first time in a separate legal office, or at court.

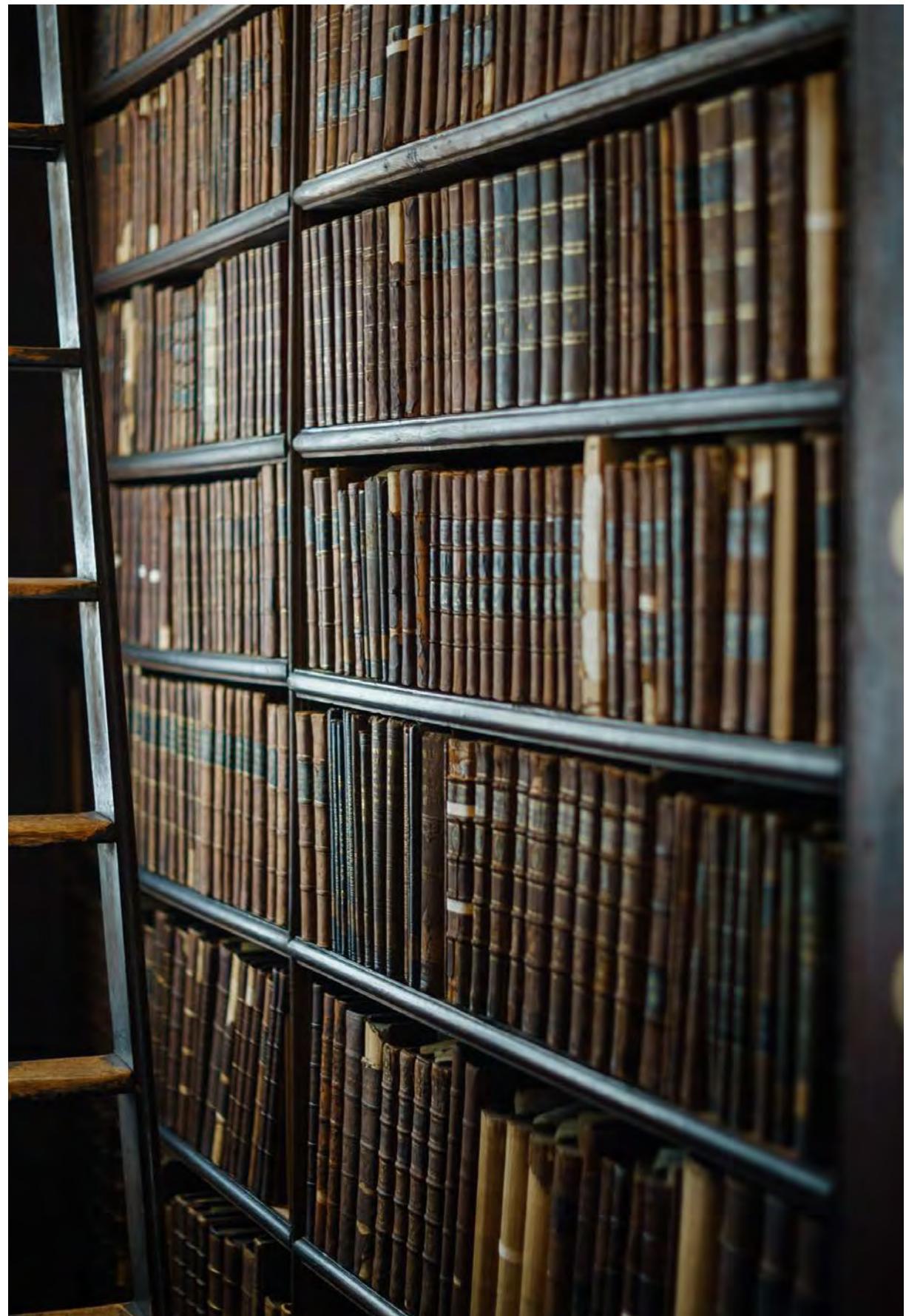
The most significant “win” was a case before the Full

Federal Court, where it was found that the quality of interpretation at a client’s Refugee Review Tribunal hearing was so poor he had effectively been denied a hearing. In that case we found a pro bono barrister and obtain expert evidence to support his case. However, when asked to give feedback about the project, the client mentioned that on the day of the hearing, had I not met him near his house and travelled with him by train to the court, he might not have got there because he was very anxious and unsure of where to go. I think that shows that access to justice is not just about the glamorous “high-end” stuff of court-appearances. It can also be about the very simple, practical things that get the client to court in the first place.

**T**here have been many other positive legal outcomes. One client was able to be reunited with the daughter he had not seen since they had fled their village under gunfire many years before. Some have been compensated for personal injuries. Others have had their children restored to them from foster or out-of-home care.

Equally rewarding, though, are the “non-legal” outcomes where I hear from a counsellor that a former client has finished school or got a job. This suggests that they are recovering from their traumatic experiences and settling into life in Australia. Their legal problems are no longer dominating their lives.

Because it is a non-traditional model of legal service it does not fall neatly within the guidelines of many funding bodies. I am very grateful to the Scully Foundation, Ashurst Australia and the Sky Foundation



*“It’s always distressing when a client has to stand up and represent himself in court against a powerful, well-resourced, legally represented government department.”*

for the funding they provided. However, for the project to be sustainable, it requires adequate, ongoing funding.

It can be difficult to tread the fine line between providing legal assistance and giving legal advice. Because of its limited resources and the high cost of professional indemnity insurance, the Project was not able to provide legal advice or to represent clients in court. This was very frustrating if a matter was urgent (for example, if the client had to appear in court the next day). Sometimes clients were confused and disappointed to be told I could not be their lawyer. It was important to manage expectations and set clear boundaries. Perhaps there’s a case for building the capacity of the legal project in the future, so that it can provide legal advice and representation. This would of course require the appropriate insurance cover and significantly more resources.

In the past few years cuts to legal aid and free legal services have made it increasingly difficult to refer clients for legal advice and representation. It’s always distressing when a client has to stand up and represent himself in court against a powerful, well-resourced, legally represented government department. Not only are they at a distinct disadvantage from a legal point of view, they can also be retraumatised. Some clients became suicidal as a result of these experiences.

Before coming to STARTTS, I had worked with many disadvantaged clients who had been through some terrible experiences. However, I did not understand the profound impact that trauma can have on a person’s ability to navigate the legal system. It’s not just about the emotional and psychological effects of trauma, although these can be debilitating enough. It’s also the biological impact of trauma on the brain – how it affects memory, concentration and expression. As a lawyer you have to be very mindful of this and adapt the way you

practice. You have to use appropriate questioning techniques, for example, and break information down into manageable chunks.

Those who work intensively with survivors of torture and trauma, including lawyers, can be permanently impacted by the stories they hear. To prevent burnout and vicarious traumatisation, it’s vital to have access to regular, clinical debriefing, ideally on a one-on-one basis. I was fortunate to be able to access this support at STARTTS. Other lawyers are not so fortunate.

In my work at STARTTS I have seen that a client’s “access to justice journey” has many steps. Recently a former client sent me a text message to say that he had just been granted a temporary protection visa. He thanked me for “all the help”. I was not his immigration lawyer, but I had helped him to fill in the paperwork to be referred to the lawyer. I had also helped him obtain a copy of his immigration file and sat with him for many hours with an Arabic interpreter, preparing a draft statement that he later took to the lawyer. I was both touched and interested that he had taken the time to acknowledge my assistance with these early steps in the process.

These early steps can be very difficult for refugee survivors to take on their own. Filling in application forms for free legal assistance usually requires you to understand English. You also need to be able to summarise your legal issue and frame it in a way that meets funding guidelines. Legal assistance is more likely to be granted if your case has “strong prospects of success”. To reach this bar it helps to be able to access and compile evidence in support of your case. However, many refugees are fearful of approaching authorities to obtain their files, while trauma can play havoc with motivation and organisational skills.

An integrated legal practice, working closely and holistically with clients, can help them take these early steps. While these steps are not always the most visible or legally exciting aspects of the “access to justice journey”, they help to build trust and get a client to the point where they are actually able to get legal advice and representation.

There needs to be greater recognition (and funding) of these early steps – not just the end point of the process.

<sup>1</sup> For further information about the processes followed by the Legal Project, see my article “*Making the Legal System More Accessible*” *Refugee Transitions*, Issue 24.

<sup>2</sup> *Westwood Spice, Mental Health Legal Services Project Evaluation (Final Report) October 2011 (Prepared for Public Interest Advocacy Centre); STARTTS Legal Project Evaluation Report, 2015.*

# *Tosca and the ticking time bomb*



**GEOFFREY ROBERTSON QC** is a human rights barrister, author, academic and broadcaster. He is the founder and joint head of Doughty Street Chambers. He was made an officer of the order of Australia in 2018. This is a complementary chapter of his book "Dreaming Too Loud"



# T

orture,’ said Fortescue, a sixteenth-century English jurist, ‘is something that is done by the French.’ And it was, for centuries after 1641, the year parliament abolished the king’s ‘Star Chamber’, with its brandings and pilloryings and ear-splittings. A proud tradition in England, but too good for the colonies, where the British army tortured relentlessly in Oman and Malaysia and Kenya, and later in Basra.

The US was worse after 9/11 with its secret rendition program, which ferried terrorist suspects to secret cells in client countries – Egypt, Morocco, Poland and Romania – where they were viciously beaten and mutilated. George W. Bush could dissemble – ‘We don’t do torture’ – while CIA officials supervised torture outside the jurisdiction. (This equivocation was more deplorable than the one for which his predecessor is remembered, namely ‘I did not have sexual relations with that woman.’)

Wherever armies fight, and whenever ‘terrorists’ are suspected, the temptation to torture has proven irresistible. Pinochet was a prime example of a ruler who used the foulest tortures – not to discover information that might save lives, but to terrify his opponents. I acted for Human Rights Watch in the case that brought him to some kind of justice, and it taught me that torture can work – but at a price that only a scoundrel could ever believe to be worth paying. My arguments were set out in the introduction to a book titled *Torture*, published in 2005 by Human Rights Watch.

**B**efore I became a human rights lawyer, my only encounter with torture came from attending performances of *Tosca*. In Act II, the judge gives a nod (it’s a non-singing role) and the politically suspect painter is escorted to an off-stage torture chamber: his pain-wracked notes traumatised his girlfriend during her interrogation by Scarpia, chief of the secret police. To end the torture, Tosca reveals the hiding place of Andreotti, a republican, who is promptly located and killed by Scarpia’s death squad. Meanwhile the tortured tenor, who has hobbled back to centre stage, overhears the news of Napoleon’s victory over the royalists and lets out of his lungs that great operatic paean to liberty: ‘Vittoria!’ Its incandescent high C seemed a pretty convincing refutation of the case for state-approved torture, showing that it serves only to inspire defiance and martyrdom.

But not so fast. Let’s update Puccini. Suppose Scarpia is ‘one of us’ (dress him as Donald Rumsfeld) while Andreotti is an ‘enemy combatant’ recently escaped from Guantanamo, and last seen being equipped in some way by a sacristan – sorry, mullah – in Act I, which is set in the local mosque. Are our sympathies now, ever so slightly, with the judge who – in a legal process advocated by Alan Dershowitz – nods for the torture to start and picks up his pen to record the expected confession? Put *Tosca* in a burqa, give Cavaradossi a few flying lessons in Florida, and the audience may wish, ever so faintly, to bring back Lynndie England and the alsatians fresh from Abu Ghraib. In real life, terrorists don’t have girlfriends (more’s the pity) and the female of the species (e.g. the ‘black widow’ suicide bombers from Chechnya) can be not only deadlier than the male but hold out longer under interrogation. *Tosca*, the tenderhearted but air-headed diva (today, she’d be a UN ‘goodwill ambassador’), informed on Andreotti because she wanted to stop the suffering of the man she loved. In such cases, torture works.

English common law always refused to adopt the infliction of pain as a device for inducing admissions or proving guilt. There had been exceptions, of course, notably for treason: in the National Archives today you can see how the handwriting on Guy Fawkes’s confession trails away after stretching on the rack leaves him too weak to hold the pen. But in the seventeenth century, the Star Chamber (the king’s torture chamber) was abolished (1641); ‘cruel and unusual punishments’ were outlawed in the Bill of Rights (1689) and habeas corpus, the fundamental right to challenge state detention, was in 1679 given such statutory force that three centuries later it could still be applied by the US Supreme Court, when pointing out to the Bush administration that due process extended to offshore islands. These safeguards against torture, achieved at a time when it was an established and routine part of criminal justice throughout the continent of Europe, were a form of humanitarian constitutional progress in which we should take Anglo-American-Australian pride.

Just because we have laws against inhumane treatment does not mean they are always obeyed. Suspects are often beaten up in the cells, but at least the common law rules permit cross examination of police at trial and a rejection of any confession that cannot be proved voluntary. Those suspected of ordinary crime are now protected in Australia and the UK, by rules requiring tape recording (and even video recording) of police interviews.

Special regimes that have been enacted for detention of terrorist suspects, however, often do not afford these

protections, and it is in this context, when 'the gloves must come off', that infliction of pain is most tempting for interrogators. In Birmingham in 1974, a few hours after IRA bombs in crowded pubs had killed thirty young people, a number of Irishmen had confessions extracted through force, by police who believed them guilty and were thus consumed with righteous fury. After 'the Birmingham Six' had served almost two decades in prison, the wrongful convictions were finally overturned – but the damage that the case did to the reputation of British justice was incalculable.

Many governments approve the inhumane treatment of detainees 'in the interests of national security'. That was the case in Singapore's 'Marxist conspiracy' detentions in 1988, when the ISD (its secret police) rounded up a group of young lawyers, Catholic aid workers and women playwrights, detaining them for years without trial and subjecting them to what Home Affairs Minister (now Prime Minister) B. G. Lee admitted was 'psychological pressure to get to the truth of the matter . . . the truth would not be known unless psychological pressure was used during interrogation'.

This 'psychological pressure' was described by the detainees who became my clients: it amounted to sleep deprivation (for up to twenty hours), standing for interrogation in cotton pyjamas under sub-zero blasts from an air conditioner; being doused with cold water and enduring threats to have their loved ones arrested for similar treatment.

These 'psychological pressures' were cunningly chosen so that they would leave marks on the mind but not on the body. But what 'truth' did they elicit? My clients said what their paranoid interrogators told them to say: 'I am Marxist-inclined . . . my ideal society is a classless society . . . I was made use of by . . . [insert name of suspect that the ISD wanted an excuse to interrogate]'. These 'confessions', made by frightened middle-class idealists to win respite from the deep freeze, were anything but the truth, because the truth in their case was of no interest to conspiracy-fixated interrogators.

We should not underestimate the effect of torture on the weak, the innocent or the mere sympathiser. It can produce amazing results – false admissions to crimes carrying life imprisonment or even death. In the 1930s, Stalin's show trials fooled the world because every defendant's confession was word-perfect. In *Darkness at Noon*, written in 1940, Arthur Koestler imaginatively attributed to these old Bolsheviks an urge to sacrifice themselves for communism, but the truth we now know to have been more mundane. Before the trial opened, they spent months on 'the conveyor', a disorientation technique in which denial of food and sleep produced

suggestibility and acquiescence in the fantastical script written by the prosecutor. They were told at rehearsal that if they changed their lines in the public court room, their wives and children would be killed – and they knew that Stalin's willing executioners were not bluffing. 'The conveyor' has been followed, in the grim argot of state sadism, by 'the parrot's perch', 'the telephone', 'the airplane', 'waterboarding', 'the Liverpool', not to mention old standards like the cattle prod, the cigarette burn and the electrode attached to the genitals. Some years ago I had the privilege of representing Human Rights Watch in proceedings against General Pinochet, and I have kept a copy of his indictment. It contained thirty charges, of which the following are typical:

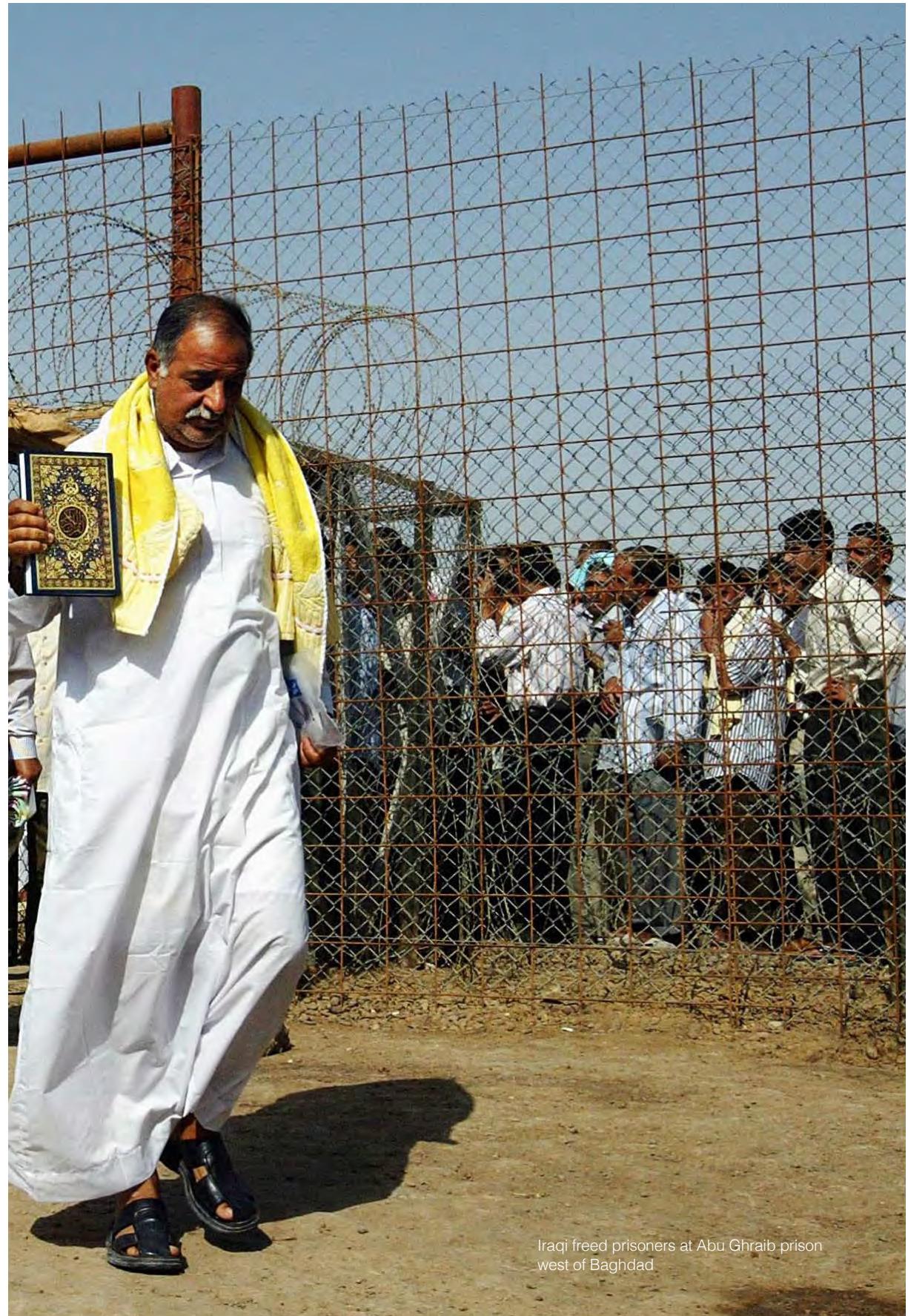
That you on or about 29th October 1976 being a public official, namely Commander-in-Chief of the Chilean Army, jointly with others intentionally inflicted severe pain or suffering on José Marcelino Gonzalez Malpu, by applying electric current to his genital organs, shoulders and ankles and pretending to shoot his captive naked mother in front of him, in purported performance of official duties.

That you jointly with others intentionally inflicted severe pain or suffering on Irma del Carmen Parada Gonzalez by:

- stripping her of her clothes;
- applying electric current to her mouth, vagina and breasts;
- subjecting her to rape by two men;
- putting her hands into chemicals and introducing them into a machine causing her to lose consciousness;
- forcing her to eat putrid food and the human remains of her dead fellow captives; in purported performance of official duties.

That you in 1974 being a public official, namely Commander-in-Chief of the Chilean Army, jointly with others intentionally inflicted severe pain or suffering on others by the employment of 'Papi', a man who had visible open syphilitic sores on his body, to rape female captives and to use on them a dog trained in sexual practices with human beings, in purported performance of official duties.

Given these charges, it is interesting to recall the distinguished people who demanded that Pinochet should never face them. His freedom to live happily ever after was championed by Mrs Thatcher and Dr Kissinger (of course), by Jesse Helms and George Bush Snr (as you would expect) and regrettably by the pope and the pope-in-waiting (Cardinal Ratzinger). Even, and incredibly, by Pinochet's mortal enemy, Fidel Castro, who declared the arrest 'an affront to national sensibilities'. In Australia, John Howard was bewildered at how



Iraqi freed prisoners at Abu Ghraib prison  
west of Baghdad

Pinochet could be prosecuted: he evinced surprise that the law had changed so much since he had studied it. The law – international human rights law – has changed, to the extent that states now owe a duty to the international community to investigate and punish any breach of the absolute prohibition in Article 5 of the Universal Declaration of Human Rights: ‘No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.’

The 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment has now (by the year 2013) been ratified by 153 states. It requires torture suspects to be put on trial or else extradited to a country that will put them on trial. Torture is defined by the Convention as the intentional infliction of severe pain or suffering, whether physical or mental, by or with the consent of a public official(excluding the imposition of lawful punishments). The Convention prohibits ‘degrading treatment’, and there have been several unsatisfactory attempts to draw a distinction with torture. The case most commonly quoted was brought in the European Court of Human Rights by the Republic of Ireland against the UK over ‘in-depth interrogation’ to which internees in Belfast in 1970 were subjected by the British army. They were hooded and forced to stand for several hours spread-eagled against a wall, while questioning was interspersed with discombobulation from sleep-deprivation and high-pitched noises. The Court held that this treatment was degrading although it did not amount to torture, which was defined as ‘deliberate inhumane treatment causing very severe suffering’.

In cases brought against the fascist military junta in Greece, the court had no hesitation in finding that electric shocks, bastinado (beating of feet so as to produce pain and swelling), genital assault, burning with cigarettes and sticking pins under nails would all cause pain of sufficient cruelty and intensity to satisfy this definition. In 1999 it emphasised, in a case brought against France, that repeated beatings during police interrogation, causing severe pain over a period of time, amount to ‘torture’ rather than to ‘inhuman treatment’.

For the purposes of the European Convention, the

distinction between ‘torture’ and ‘inhuman treatment’ does not matter other than for calculation of damages. Both techniques are prohibited. But post-9/11 pronouncements from US officials seize upon the distinction, and declare that the war on terror justifies ‘inhuman or degrading treatment’ which does not amount to ‘torture’. They claim that certain intentional forms of suffering, euphemistically called ‘augmented techniques of coercive interrogation’, may be inflicted upon terrorist suspects. But the Geneva Conventions, which protect prisoners of war, specifically prohibit ‘outrages upon personal dignity’, and the Convention prohibits ‘cruel, inhuman and degrading treatment’. The US hides its outrages in military euphemisms: forced standing for hours on end; taking advantage of individual phobias; environmental manipulation (this may involve adjusting temperature – presumably as they do in Singapore); dietary manipulation (i.e. temporary starvation); deprivation of light and deprivation of auditory stimuli (blindsighting, or solitary confinement in a darkened cell); stress positions (painful shackling and contortions), forced nudity (especially in the presence of Alsatians); isolation (solitary confinement for thirty days); working dogs (one way of taking advantage of individual phobias, i.e. the Arab fear of dogs).

The period of US occupation of Iraq will be worst remembered for the obscene pictures of American soldiers enjoying themselves by subjecting detainees at Abu Ghraib to violence and degradation. An army investigation found numerous instances of ‘sadistic, blatant and wanton criminal abuses’ and the ‘sadists on the night shift’ received prison sentences ranging from three years (Lynnndie England) to ten (Charles Graner). Their behaviour mimicked the more juvenile obsessions of American pornography: victims were forced to masturbate and have sex with each other while leering GIs taunted and humiliated them. Even more serious were the torture pictures – of hooded men hanging from hooks and naked Arabs screaming as Alsatians growled at their genitals. More serious still were pictures of two corpses wrapped in cellophane and packed in ice, in cells plastered with blood.

**We should not underestimate the effect of torture on the weak, the innocent or the mere sympathiser. It can produce amazing results – false admissions to crimes carrying life imprisonment or even death.**

These torture pictures proved a disastrous own goal for the war on terror, because they became recruiting posters for Al-Qaeda throughout the Middle East. The pretense that they merely depicted the doings of a few rotten apples in an otherwise wholesome US military barrel was soon belied – not only by the official 2004 Schlesinger Report into Defense Department operations, but by a paper trail that showed first how Bush administration lawyers had willfully misinterpreted the law to approve the use of inhumane interrogation techniques for Guantanamo detainees, and secondly how these techniques had ‘migrated’ to Iraq, borne by military intelligence officers who naturally assumed that they could get away in Abu Ghraib with what had been approved in Guantanamo. Although the inhumane techniques they had been taught did not extend to forcible sex or harsh beatings, the lessons had left an expectation that the Geneva Conventions were irrelevant and that prisoners could be cruelly treated so long as they were not caused permanent physical injury.

Bush lawyers have in this respect proved bush lawyers. Jay Bybee (now a federal judge) assisted by John Yoo (a Berkeley law professor) defined torture so tightly (‘extreme acts of an intensity akin to that which accompanies serious physical injury such as death or organ failure’) that pulling fingernails would not qualify. Alberto Gonzales (the US attorney-general in 2005) thought that Islamist jihad ‘renders obsolete Geneva’s strict limitations on questioning of enemy prisoners and renders quaint some of its provisions’, and advised that Guantanamo was beyond the reach of habeas corpus. They turned a blind eye to international law, and believed the US government was entitled to withhold due process from men who are not American citizens and are not imprisoned in the US, and to subject these non-Americans, once located in an offshore limbo land, to treatment that could qualify as inhuman or degrading. This approach is not merely provincial, it is counterproductive because, as Senator John McCain points out, it sets an unhappy precedent for captured US servicemen in future wars whose lives may depend upon strict compliance by their captors with the Geneva Conventions.

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It puts British and Australian soldiers in peril, too. Those of our fathers and grandfathers held prisoner in Nazi Germany were treated with some dignity, thanks to the Geneva rules relating to POWs. Many were maltreated by the Japanese (who, contrary to myth, were well aware of the rules) but at least some of their captors were punished after the war. Later, in Korea and Vietnam, patchy compliance with the Conventions saved at least some Australian – and many US – lives. That is why we dishonour and diminish the Geneva Conventions at our peril. ‘Obsolete’ they may be in part (the right of prisoners to smoke cigarettes is certainly outdated and the privileges for officers reflects an antiquated British class system). ‘Quaint’ they may seem, but only to those ignorant of how they were influenced by the Holocaust. ‘The American people are never going to pay for Taliban

prisoners to have a musical instrument!’ fumed a White House spokesman, failing to appreciate that this rule a) came about because of the importance of orchestras in Jewish ghettos like Terezin and b) that the Taliban hate music.

The rationale for the rule against torture is not only that it dishonours the state and the legal system that permits it, but that it is counter-productive: much of the evidence elicited will be unreliable, and public sympathy will swing behind victims and their cause. Why then was the Bush administration so keen to permit it and so insouciant about criticism – which Donald Rumsfeld dismissed as ‘isolated pockets of international

hyperventilation? There was certainly a post-9/11 feeling that the Geneva Conventions were obsolete in this ‘new’ war on terror, during which information might have to be obtained quickly from captured suspects in order to foil bombings and other atrocities. The ‘ticking time bomb’ scenario was always quoted, involving a suspect who knows where the bomb is hidden and is not prepared to give the vital information voluntarily. Is it justifiable to torture it out of him in order to save lives – a moral end that would justify unlawful means?

The problem with the hypothesis, of course, is its unreality: fanatics privy to such knowledge either stay silent because they welcome torture and death as martyrdom, or are sufficiently hardened or pain-wracked



A detainee in an outdoor solitary confinement cell talks with a military policeman at the Abu Ghraib prison

Australian Human Rights barrister Geoffrey Robertson QC  
(AAP Image/Lukas Coch)



to supply false information, which distracts police while the time ticks away. The official who orders the torture may think his judgment is moral when in reality it is perverse. James Schlesinger posited a 'minimum harm rule' for the interrogator: do not inflict more pressure than is necessary to get the desired information, but never cause permanent damage and always be prepared to take the consequences. The danger of a minimum harm rule, however, is that interrogators will always ratchet up the pain if they do not get the desired answers. Schlesinger recommended a professional ethics program to equip military leaders with a 'sharper moral compass for guidance in situations often riven with conflicting moral obligations'. While ethics education is always welcome, an education in legal obligations, explaining why the law prohibits torture and cruel and inhuman treatment, would be more appropriate.

Certain forms of torture often work, especially the kind practised by Pinochet and Hussein where spouses, parents and even children were maimed and violated within the sight and hearing of suspects with information their interrogators wanted to extract. But torture of this kind is so bestial that a Western state could never sanction it: the only torture that US officials could authorise – 'stress positions', exploitation of dog phobias, and Category III techniques (to use the US government's terminology) – will not terrify the real terrorist, and top commanders in Iraq have admitted that they learned little about the insurgency by using these techniques.

The Red Cross estimated that seventy-five to ninety per cent of the detainees had no connection with the insurgency and no useful information to offer in any event. Yet every Iraqi subjected to ill-treatment had a dozen or so relatives – sisters, brothers, parents, wives and children – who became in consequence committed to a blood feud against 'the invaders'.

Multiply this number by the number of prisoners ill-treated and the number of Iraqi civilians shot accidentally or through 'pre-emptive' action in Fallujah and other flashpoints, and the reason why so many Iraqis who were well disposed to the overthrow of Saddam came to oppose the US military can readily be appreciated. The most significant intelligence tip-off – the whereabouts of

Saddam Hussein – came from treating an internee kindly.

Abu Ghraib may have been characterised by James Schlesinger as 'Animal House on the night shift', but on the day shift, in interrogation rooms, it was institutionalised ill-treatment, approved at the very top by the US Secretary of State for Defense. The Americans may have learned little about the insurgency, but would-be insurgents certainly learned something about Americans. As one popular (and initially pro-US) Shia preacher put it in mid-2004, at Friday prayers:

It was discovered that freedom in this land is not ours. It is the freedom of the occupying soldiers in doing what they like . . . abusing women, children, men and the old men and women who they arrested randomly and without any guilt. They express the freedom of rape, the freedom of nudity and the freedom of humiliation.

The rhetoric was provocative, but it drew corroboration from the torture pictures from Abu Ghraib, ironically supporting the message that Iraqis had to fight for their own freedom, against their own liberators. President Bush rightly said that the Abu Ghraib photographs 'do not represent America', but they caused America a massive loss of respect and moral authority. (In Iraq, they fuelled a bloodbath that continues today, almost every day.) The Schlesinger Report explained how the ill-treatment permitted for Afghan detainees in Guantanamo Bay where the Geneva Conventions were claimed not to apply had 'migrated' to Iraq, where the Geneva Conventions applied with full force. The 'message in the field' was that no distinction should be drawn on grounds of geography: intelligence personnel trained to terrify Arabs in Guantanamo used the same techniques to terrify Arabs in Iraq.

But the Schlesinger Report never grappled with the real problem, which was why it had been necessary to depart from the Geneva Conventions at Guantanamo in the first place. It must have been obvious to those Bush lawyers who recommended this course to the president (mis-stating legal doctrine in the process) that military intelligence officers trained to use inhumane techniques in one war would use them in the next. The Schlesinger Report frankly admitted that the 'brutality and purposeless sadism' extended beyond ordinary soldiers to military

intelligence personnel and occurred during interrogation sessions and not only at Abu Ghraib. There was 'both institutional and personal responsibility at higher levels', although the person most responsible – Donald Rumsfeld – had his resignation offer refused by President Bush.

Soldiers and their commanders, under pressure and under deadly threats, will always be tempted to break rules to get results. This 'stuff' always happens in wars and in countries where the occupiers are resented. The only satisfactory deterrent is to prosecute those with 'command responsibility', or at minimum to require their resignation, although the only senior officer prosecuted over Abu Ghraib was Janis Karpinski, who was in charge of the prison. Charges against interrogators should have followed, but they did not. Charges against the 'Bush lawyers' – for permitting or at least bending the law – should have been levelled, as they were at Nuremberg against the Nazi judges, but they were not. International human rights law can lay down rules but it cannot at this juncture require their enforcement against an occupying power.

**T**orture is not confined to the application of pain to induce a suspect to confess. I first encountered it in real life in the atmosphere of death row in Trinidad, when visiting black power radical Michael X after he had been sentenced to hang. There were about thirty men in monkey cages, sweating in the heat, fingers scratching through the wire, screeching and shouting at each other and at the warders. They were allowed neither education nor exercise as they waited in torment for their death warrant to be read. The victim would then be weighed and measured for the drop; the sound of his family wailing and screaming would be interspersed with the sound of the hangman loudly testing 'the trap'.

After spending a few hours on death row, it struck me that men stuck here for years were effectively being tortured, and were certainly subjected to 'cruel and inhuman treatment or punishment', contrary to the 1689 Bill of Rights and to the Trinidadian constitution. Most condemned men in the Caribbean – as well as in the US – stay on death row for many years before their eventual execution, and this prolonged emotional and psychological suffering is of a different – a more extreme – dimension of inhumanity than the actual hanging. Although the death penalty itself is carefully protected from constitutional challenge, the Privy Council in the case of my clients Earl Pratt and Ivan Morgan v Jamaica held in due course that a prolonged stay on death row amounted to inhuman or degrading treatment and prevented the state of Jamaica from executing them. As a consequence, hundreds of death

sentences have had to be commuted.

I believe it is necessary to improve the existing Geneva provisions for monitoring the treatment of persons detained in the wake of war, whether as POWs, 'enemy combatants', or as suspected spies or terrorists. Most are at risk of torture, and the only safeguard is the International Committee of the Red Cross. Article 3 gives Red Cross representatives a legal right to enter the prisons and police cells of all belligerents, to monitor conditions and compliance. This is a task that the Red Cross has courageously and punctiliously performed, but under a procedure that has one fatal flaw. It is utterly confidential: Red Cross reports are secretly sent to a country's high commanders and are never made available to the public. The mistreatment at Abu Ghraib was first detected early on by the Red Cross, but its report to the US Department of Defense was completely ignored until it was leaked by some 'deep throat' in the department to the Wall Street Journal. In how many other prisons has the Red Cross found evidence of torture, yet cannot disclose it or speak out when the torturers are permitted to continue?

This confidentiality seems unconscionable. If torture is a crime against humanity (and it is), then covering it up must always be ethically questionable. The Red Cross justifies secrecy on the basis that if its reports were published, many governments would not allow it access to their prisons. The argument is overstated: the Geneva Conventions give it access by right and countries that refuse would suffer aid and trade sanctions and turn the human rights spotlight on themselves, since the refusal would signify that they had something – namely torture to hide. But the Red Cross is adamant, with the result that its monitoring can never be a satisfactory safeguard. There are, no doubt, a few governments that would deny it access if its reports were to be made public, but surely it is time for countries like Australia, which both condemn torture and maintain that they have nothing to hide, to take the lead by waiving their right to confidentiality in Red Cross reports. Australia should have nothing to hide, although I suspect that we do – in Woomera, Christmas and Manus Islands and Nauru.

The paradox of torture is that all states pay lip-service to its illegality yet many – seventy-three at Amnesty International's last count – still secretly permit the practice. It will never end for terrorist suspects and prisoners of war, unless states are prepared not only to allow independent observers into their prisons, but to suffer publication of their findings. That time may be far off, but the work of organisations like Human Rights Watch brings it closer. R

Chapter 22, *Dreaming Too Loud*. Penguin Random House 2014 ©

# Refugee Ball 2017:

*An evening of fun and fundraising for asylum seeker  
tertiary scholarships*



Last November more than 500 guests, supporters and friends flocked to STARTTS' annual fundraiser, coming together once again to help heal refugees suffering from trauma to build a new life in Australia. For the first time the ball raised funds for an urgent area of need: supporting young asylum seekers who have completed their Higher School Certificates and are starting tertiary studies, while awaiting the results of their status determination applications. The proceeds from the evening have been donated to a fund that provides small scholarships for students who have matriculated and decided to pursue tertiary studies.

The STARTTS Refugee Ball has been growing in size and stature over the past nine years, and has become a key event in the agenda of refugee supporters across NSW. The Refugee Ball not only provides the STARTTS team with an opportunity to catch up with its wide support base in a relaxed and fun atmosphere, but also enables them to raise funds for valuable projects not directly related to the funded components of STARTTS work.

This time the annual Refugee Ball address was delivered by former principal of Holroyd High School and 2014 Australian Human Rights medallist Dorothy Hoddinott AO FACE. As principal of Holroyd High for 19 years, Dorothy has been a tireless advocate for the rights of her asylum seeker alumni to receive state support to gain an education. Of the 2017 Refugee Ball, Ms Hoddinott said: "I really enjoyed the ball tonight. I've been here several times in the past and I think this is the best one I've come to. I enjoyed speaking to the audience and actually getting across a message about the importance of education ... a wonderful opportunity to speak tonight and a wonderful occasion of celebrating the energy and enterprise and dynamism of refugees in Australia."

For the first time the ball took place at the Hyatt Regency Sydney in its elegant waterfront ballroom. The program included a delicious three-course a la carte dinner, with performances by talented emerging and established artists from across multicultural Australia. Joining us the ball for his fifth consecutive year as Master





of Ceremonies was radio announcer and stand-up comedian Chris North, who entertained everyone with his characteristic natural humour. The line-up of world-class entertainment also featured The Voice Australia sensation C Major backed by the funky Latino sounds of Son Veneno, Assyrian and Arabic artist Karmelan with Arabic Faith Band, the Andro Martinez and Jeremy Gregory Duo and the African Dance Troupe Aphrodisiac, led by the inimitable Tiana Canterbury. Making her Refugee Ball debut, the courageous Somali performance poet, freedom fighter and writer Hani Abdile, impressed guests with her poetry – a highlight of an unforgettable evening.

The 2017 ball was also a momentous occasion with the official launch of a global initiative to support the work of torture and trauma rehabilitation services around the world, the Australian Pilot of the International Rehabilitation Council for Torture Victims (IRCT) Global Fundraising campaign. The pilot campaign was launched by trauma expert and Victorian Australian of the Year, Paris Aristotle AO, CEO of Foundation House

– the first of several prominent Australians to endorse the campaign. We invite you to join the movement. You can find out more on the campaign's website: [lifeaftertorture.org.au](http://lifeaftertorture.org.au)

Without the continuing support of sponsors, supporters, volunteers and friends, the STARTTS Refugee Ball would not be possible. We take this opportunity to express our warm thanks to the official 2017 sponsors of the ball: Joseph Skryzinski and Ros Horin, Network of Caring, Macquarie University, the NSW Police Force, Fragomen Worldwide, Multicultural NSW, SBS Australia, Teusner Wines, The Ink Collective and Digital Data Imaging Service.

We look forward to celebrating the 10th anniversary – on Friday 26 October 2018 – of an amazing event that has contributed to so many programs assisting refugees, when the STARTTS Refugee Ball returns to the Hyatt Regency Sydney. We hope to see you there!

*Official photography by Legacy Photography and Videography with additional photography by Siva Sivaraj.*







STARTTS PROUDLY PRESENTS:



Dr Joan Haliburn, MBBS, FRANZCP



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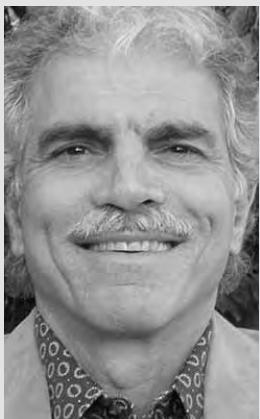
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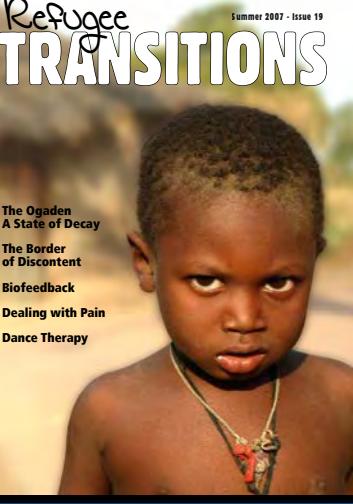
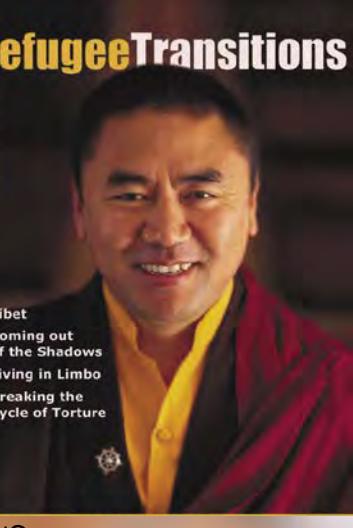
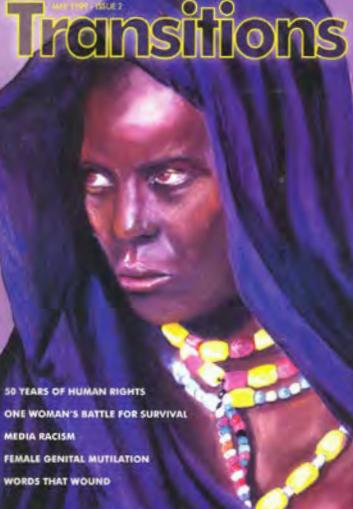
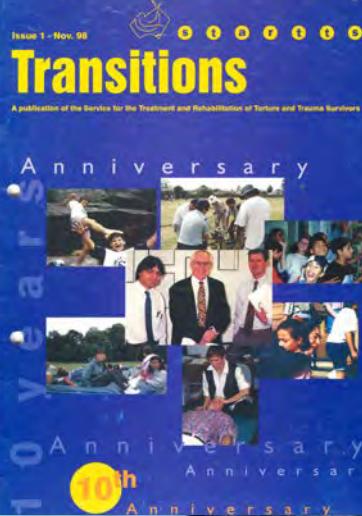
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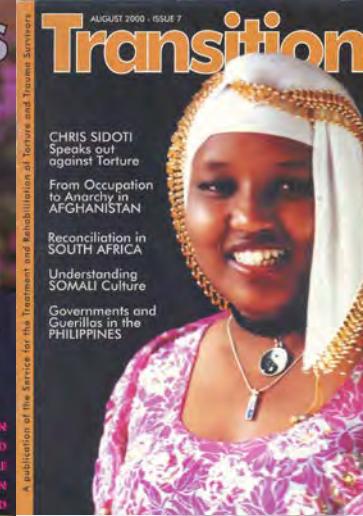
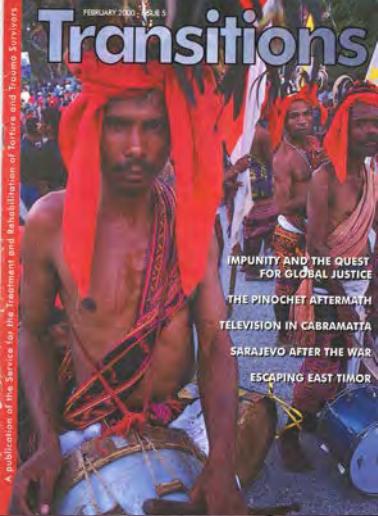
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# REFUGEE

## Response

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## REFUGEE

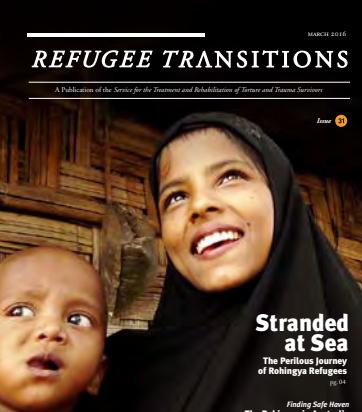
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## REFUGEE TRANSITIONS

## REFUGEE





The NSW Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS) helps refugees deal with their past experiences and build a new life in Australia. Our services include counselling, group therapy, programs for children and young people, community development activities and physiotherapy. We also work with other organisations and individuals to help them work more effectively with refugees. Opened in 1988, STARTTS is one of Australia's leading organisations for the treatment of torture and trauma survivors.

