

## **FACT SHEET UNACCOMPANIED HUMANITARIAN MINORS**

### **Background**

Children and youth account for approximately 50% of Australia's humanitarian intake at any given point in time. Of these, a small percentage (3-5%) are unaccompanied humanitarian minors (UHMs). UHMs are young people under the age of 18 years who have arrived in Australia without a parent or relative to care for them and who have been granted permanent protection by the Australian government. UHMs may have lost or become separated from their parents for various reasons, for example, they may have been sent to Australia alone in the hope of sponsoring other family members to Australia, or they may have become separated from their parents by accident.

### *Offshore arrivals*

UHMs who come to Australia through the offshore component of the humanitarian program applied for permanent protection prior to arrival and generally come with a known adult caregiver or are placed with one after they arrive. UHMs who arrive in Australia under these circumstances are granted a permanent visa (Class XB, subclass 200, 201, 202, 203 or 204).

### *Onshore arrivals*

The majority of UHMs currently living in Australia applied for permanent protection after arrival through the onshore component of humanitarian program. Most of these UHMs are referred to as "irregular maritime arrivals" because they traveled to Australia by boat and applied for permanent protection on Christmas Island. UHMs who arrive in Australia under these circumstances are granted a protection visa (Class XA, subclass 866). Currently most are young males from Middle Eastern and South Asian countries. By contrast, unaccompanied asylum seeking minors (UAMs) are young people who have arrived in Australia under the same circumstances but still waiting for a decision on their application for permanent protection. UAMs become UHMs once they have received permanent protection.

### *Wards and non-wards*

UHMs who have been granted permanent protection become wards of the Minister for Immigration and Citizenship under the Immigration Guardianship of Children (IGOC) Act 1946.

UHMs who have a relative over the age of 21 years to care for them are referred to as "non wards". Under the IGOG act, relatives are defined as parents/step-parents, grandparents/step-grandparents, aunts, uncles, half aunts/uncles, siblings, step/half siblings and first cousins.

While the Minister or delegated guardian has the same rights and responsibilities for wards as a parent, the IGOC Act gives the Minister authority to appoint an individual or contracted service provider to assume custody of UHMs and provide for their day-to-

day care. Custodians have the authority to make decisions about routine matters concerning UHMs but the Minister is still legally responsible for them. As such, custodians must report serious incidents to the delegated guardian and seek consent for decisions that are not routine in nature.

### *South Australia*

In South Australia, the Minister's functions as guardian under the IGOC Act are delegated to officers in Families SA (FSA), which is part of the Department for Education and Child Development (DECD). FSA provides for the care and welfare of UHMs in much the same way as other state wards. Currently in South Australia, Multicultural Youth South Australia Inc (MUSA) also has custodianship of UHMs through the Refugee Youth Support (RYS) Pilot.

## **Current issues**

### *Loss of family and community networks*

Most UHMs have either lost or become separated from parents, siblings, extended family, friends and their broader community networks. UHMs typically experience considerable anxiety associated with family separation, particularly among those who do not know the whereabouts of their parents or other family members. Some young people alleviate the anxiety and loneliness associated with family separation with the misuse of alcohol and drugs.

### *Settlement issues*

Adjusting to life in a new country can be very difficult for any migrant, but it can be particularly difficult for UHMs who have been subject to forced migration. UHMs in the initial stages of resettlement have to contend with many difficult issues including learning a new language, adjusting to a new culture and its systems, making new friends and, for many, racism and discrimination. This is on top of multiple losses including home, country, culture, family and friends. Given that most will experience many years of family separation, it can be difficult for them to lay down roots and establish new support networks to facilitate their long term settlement.

UHMs who have arrived in Australia as irregular maritime arrivals may experience a range of settlement barriers such as lack of access to pre-arrival orientation, time spent in immigration or community detention, English language difficulties, long periods of separation from family, lack of knowledge about support services, limited capacity among services to meet the complex and multifaceted needs of UHMs, and frequent residential mobility associated with their search for employment. Distrust of services, particularly government affiliated services, may also present a barrier to settlement. When services are provided with assistance from same-culture professionals, UHMs may also be concerned about breaches of confidentiality because most belong to small and emerging communities.

### *Family responsibility*

Most UHMs have a strong sense of responsibility and obligation to separated family members and believe they should support them, either by sending money offshore to help with basic needs or by helping family migrate to Australia. Many UHMs receive constant requests for financial assistance from relatives, many of which they cannot satisfy as they are not in a position to support anyone on their Centrelink payments. The obligation to provide financial assistance can take priority over their own needs, leaving some without basic necessities such as food and forcing others to drop out of school to enter the unskilled workforce. As with other refugee population groups, UHMs experience difficulty accessing casual and part-time employment while studying due to language barriers, a lack of knowledge of the employment system and racism and discrimination among employers.

### *Mental health*

Mental health and emotional wellbeing issues are generally more prevalent among UHMs than other refugee groups due to their unaccompanied minor status and extended periods of family separation. Many UHMs experience considerable frustration about not being able to explain to others the particular difficulties and pressures they face because they cannot express themselves in English the way they would like to.

UHMs who arrive in Australia as irregular maritime arrivals often report increased community stigma and discrimination associated with their mode of arrival i.e., by boat. This stigma may be experienced from their own and/or the broader Australian community. As with other refugee groups, UHMs also experience the hidden effects of stigma such as not being able to access subsidised community participation opportunities (e.g., sport) without declaring their refugee status.

### *Caring arrangements*

UHMs are often placed in the care of a same-culture older person or couple who is unknown to them prior to being placed. Some of the carers are themselves new to Australia and in some cases are the same age or younger than the UHMs they are responsible for. Some carers are not adequately trained or prepared for their role and some do not have the English language skills needed to help UHMs navigate Australian culture and systems. Some UHMs try to arrange their own carers, many of whom are not able to provide the level of support that is required. This in turn can result in neglect, strained relationships, relationship breakdown and youth homelessness. UHMs prefer carers who will support them to develop their independence e.g., permit them to manage their own Centrelink payments and equip them with the knowledge and skills to cook, shop and complete basic forms for themselves.

### *Age determination*

Although UHMs are legally defined as young people under the age of 18 years, some are believed to be older than this. These young people nominated themselves as minors

because they had heard that this would fast track their family reunion visa applications.

### *Priorities*

Many UHMs identify family reunion and a need for supported independence as their key priorities for wellbeing. While they have faced numerous adversities prior to migration, the issues of most importance to them are relevant to the future. Most have clearly defined goals for their futures. In the short term, they identify a need for improved education and casual part-time employment in order to be able to bring their families to Australia, and in the long term, they identify a need for well paid, stable employment to fully establish themselves in Australia. Above all else, they want tangible support and opportunities to build a positive future for themselves in Australia. As with other refugee population groups, UHMs experience difficulty accessing any type of employment due to language barriers, a lack of knowledge of the employment system and racism and discrimination among employers.

### *Services and programs*

UHMs who are on a pathway to independence should be linked to youth-specific, context-specific, culturally appropriate services and programs to prepare them for independence. More capacity building programs are required to equip young people with the resilience characteristics and skills to better manage issues that are outside of their control e.g., separation from family, community stigma associated with their mode of arrival in Australia, racism and discrimination, frustration associated with English language acquisition, and discouragement associated with not feeling understood and/or accepted by mainstream Australians. A youth development approach to supporting young people's transition into independence would require supported autonomy for young people to manage their own finances.