



## AABHL 2018 Conference Statement

### 1. Preamble

1.1. The Australasian Association for Bioethics and Health Law (AABHL) is the leading organisation concerned with issues of bioethics and health law in Australia and New Zealand. The Association's primary aims are to advance the study of bioethics and health law, and to increase public awareness in these fields by promoting public debate within Australasia.

1.2. This statement was drafted at AABHL's 2018 conference in Townsville in support of the positions articulated by several other professional health organisations in statements that express similar concerns about the health and wellbeing of asylum seekers and refugees who are currently held in immigration detention, or who are stranded offshore after the closure of detention centres on Manus Island and Nauru<sup>1-3</sup>.

### 2. The health and wellbeing of refugees and people seeking asylum

2.1. Asylum seekers and refugees typically suffer an unusually high burden of ill-health due to the effects of war and persecution in their countries of origin, and also due to hardships endured on their journeys in search of safety and security. Australia has fundamental obligations—agreed to under UN declarations that Australia has ratified<sup>4</sup>—to respond to their needs by providing for their safety and security, and by providing health care to a standard comparable to that enjoyed in the wider Australian community, while their claims are being processed. This includes provision of adequate food, clothing, accommodation and healthy environmental conditions (e.g. sanitation); and also access to timely and appropriate medical care, necessary social services, and health-related education and information.

2.2. There is now well-documented evidence that the current system of immigration detention is both failing to provide for these needs, and compounding the harms suffered. The severity of adverse health outcomes has been documented in numerous reports such as those published by the Australian Human Rights Commissions, which highlights the mental health impacts of detention; the health impacts of parlous conditions in offshore detention centres; and the acute suffering of children who are or have been held in immigration detention.

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**President:** Bernadette Richards; **Vice President:** Rachel Ankeny  
**Secretary:** Lynn Woodward; **Treasurer:** Jaklin Elliott

**Correspondence to: Australasian Association of Bioethics and Health Law**  
AABHL Treasurer, Level 9, Adelaide Health & Medical Science Building,  
North Terrace,  
Adelaide, SA 5000  
AUSTRALIA

### **3. Obligations to protect health and human rights**

3.1. We call on the Australian government to honour its legal and ethical obligations to provide justice and protect the health and human rights of all asylum seekers and refugees and provide health care and promote their long-term health as is set out in the Royal Australasian College of Physicians (RACP) position statement on refugee and asylum seeker health<sup>2</sup>. Above all, along with the RACP, we exhort the Australian government to implement a rights-based and humane approach to people seeking asylum.

#### **References**

1. Australian Medical Association. Health Care of Asylum seekers and Refugees – 2011. Revised 23 Dec 2015.
2. Paxton GA, Cherian S, Zwi K. The Royal Australasian College of Physicians position statement on refugee and asylum seeker health. *Med J Aust* 2015; 203 (4): 176-177. doi: 10.5694/mja15.00593. Published online: 17 August 2015.
3. Public Health Association of Australia. Media release 18 March 2015. Coalition of peak health bodies calls for release of children from immigration detention.
4. The United Nations 1951 Convention Relating to the Status of Refugees and the 1967 amendment Protocol Relating to Refugees.
5. Australian Human Rights Commission. Asylum seekers, refugees and human rights.

#### **The below named members of AABHL have indicated their support for this Statement.**

Dr Alexander CL Holden, BDS MDPH LLM MJDF RCS (Eng) FACLM FCLM Dental Surgeon - Academic

Dr Adrian Dabscheck

Judy Allen, Honorary Fellow, UWA Law School

Professor Rachel A Ankeny

Associate Professor Mark Arnold, Head of Rural Clinical School, The University of Sydney

Stephen Bartlett

Dr Robert Bell

Professor Annette Braunack-Mayer, School of Health and Society, University of Wollongong

Adjunct Professor Conor Brophy

Morgan Carpenter, M.Bioeth (Sydney); PhD candidate, Sydney Health Ethics, University of Sydney

Professor Stacy Carter

Dr Drew Carter

Dr Michael Chapman, MBBS FRACP FChPM PhD

Eliana Close, Australian Centre for Health Law Research, QUT

Peter M. Condon, Solicitor and Health Lawyer

Associate Professor Andrew Crowden, UQ

Caitlin Davis

Professor Angus Dawson, Director of Sydney Health Ethics, University of Sydney

Dr Chris Degeling, Senior Fellow, Research for Social Change, Faculty of Social Sciences, University of Wollongong

Katrine Del Villar

Dr Lisa Dive, Research Fellow, The University of Sydney, Sydney Health Ethics

Dr Charles Douglas

Alison Douglass, lawyer, New Zealand

Dr Lisa Eckstein

Associate Professor Jaklin Elliott

Mr Anson Fehross, PhD candidate, Sydney Health Ethics, The University of Sydney

Associate Professor Deirdre Fetherstonhaugh

Professor Lyn Gilbert AO, MD BS, FRACP, FRCPA, FASM, M Bioethics, Professor in Infectious Diseases, Sydney Medical School; Senior Researcher, Marie Bashir Institute for Infectious Diseases & Biosecurity & Sydney Health Ethics, University of Sydney

Professor Lynn Gillam, Melbourne School of Population and Global Health, University of Melbourne

Dr Ben Gray University of Otago Wellington

Ms Courtney Hempton, Monash Bioethics Centre, Monash University

David Hunter, Associate Professor of Medical Ethics, Southgate Institute for Health, Society and Equity, College of Medicine and Public Health, Flinders University.

Dr Andrew Hutchinson

Dr Jenny Jones

Associate Professor Christopher Jordens, Sydney Health Ethics, The University of Sydney

Jonnie Kennedy, Sydney Health Ethics, The University of Sydney

Professor Ian Kerridge, Sydney Health Ethics University of Sydney

Henry Kilham, paediatrician, Sydney

Dr Rose Leontini

Ms Julie Letts MBioth, Director LettsConsulting Sydney

Dr Edwina Light, Research Fellow, Sydney Health Ethics

Associate Professor Wendy Lipworth

Tamra Lysaght, B.Sc. (Biotechnology) B.Bus. Ph.D.

Paul Macneill, Honorary Associate Professor, The University of Sydney

Dr Catherine Mason, senior staff specialist psychiatrist Sydney, NSW

Associate Professor Richard Matthews, Bond University

Dr Helen McCabe

Pat McConville, BA(Hons) MBioethics

Associate Professor Fiona McDonald

Dr Rosalind McDougall

Dr Rebekah McWhirter, Faculty of Law, University of Tasmania

Miss Selina Metternick-Jones

Associate Professor Cormac M. Nagle, OFM

Associate Professor Ainsley Newson, Sydney Health Ethics, University of Sydney

Emeritus Professor Malcolm Parker

Irina Pollard PhD

Ms Sara Potts

Ms Anne Preisz

Dr Alma Rae

Associate Professor Bernadette Richards, President AABHL

Kate Robins-Browne

Wendy Rogers, Professor of Clinical Ethics, Macquarie University

Dr Zarrin Siddiqui

Associate Professor George Skowronski, Director, Intensive Care Unit, St George Private Hospital, Sydney  
Clinical Ethics Lead, St George (Public) Hospital, Sydney

Helen Smith BAppSc, MSc, FSPA CPSP

Professor Cameron Stewart

Dr Shih-Ning Then, Australian Centre for Health Law Research

Dr Jon Wardle, University of Technology Sydney

Dr Andrew Watkins, Consultant Neonatologist Mercy Hospital for Women

Professor Ben White, Australian Centre for Health Law Research, Faculty of Law, Queensland University of Technology

Miss Merryl Willis, BA(Phil), Mbioeth

Dr Lynn Woodward

Dr Vicki Xafis, Sydney Health Ethics, The University of Sydney

Associate Professor Deborah Zion Victoria University