

# **R**etreating from the Refugee Convention - Conference Communique

## The Conference:

1. **Affirmed** the need for ongoing and informed dialogue to be maintained between all parties with an interest in the asylum of and refugee process. Such dialogue should include government departments, non-government organisations, intergovernmental organisations and private practitioners at a local, national and international level.
2. **Affirmed** the need to ensure that community debate - including media reporting - in relation to asylum seekers and refugees is balanced, well-informed and responsible, and **suggested** that this would be assisted by a programme of community education and by ensuring that appropriate standards of service delivery are provided by migration agents.
3. **Recognised** that there is a close interrelationship between Australia's asylum and refugee processes and Australia's international human rights obligations.
4. **Emphasised** the importance of separating refugee issues from those issues relating to general migration to Australia and, on particular, separating issues relating to Australia's offshore refugee and humanitarian program from its obligation to onshore asylum seekers under the 1951 Refugee Convention and 1967 Protocol.
5. **Expressed** grave misgivings about measures being introduced into Europe and North America to restrict the application of the 1951 Refugee Convention and 1967 Protocol, and **further expressed** concern that such measures are being introduced into Australia's asylum and refugee processes. The measures of greatest concern included the following: restriction of access to refugee status determination procedures and judicial appeal processes, restriction upon welfare benefits to asylum seekers during the determination process, safe third country and safe country of origin procedures, restrictive interpretation of the Convention definition of refugee, and the detention of asylum seekers.
6. **Emphasised** the importance of maintaining transparency, accountability and accessibility in relation to the initial reception processes of asylum seekers and refugees.
7. **Called for** a reconsideration of alternatives to Australia's current policy of detaining asylum seekers.
8. **Affirmed** the importance of maintaining an independent merits review mechanism for the determination of refugee status.
9. **Supported** the consideration of a humanitarian solution by the Australian government for all asylum seekers including, in particular, those asylum seekers from East Timor.

## What Stresses NZ Lawyers?

The NZ Law Society's journal *LawTalk* (471, February 17 1997) reports on a study of occupational stress among members of the New Zealand legal profession.

The study, funded by the New Zealand Law Foundation and carried out by members of staff at Massey University's Department of Human Resource Management, intended to collect data relating to the extent of and methods of dealing with occupational stress.

Of the 1850 randomly chosen practitioners, 37.7% chose to respond and the sample contained 72.8% male and 27.2% female respondents.

Analysis of the data collected indicated that the causes of stress could be put into three categories: demands from

clients, expectations of self and workload issues.

Methods of coping with stress were largely 'problem focused' and included increased effort, attempts to organise better, work faster and devote more time and energy to work. Some respondents used 'emotion-focused' strategies, including those of reminding oneself that work isn't everything or trying not to get concerned about work.

The researchers noted that contrary to anecdotal expectations, there was a decided lack of stated use of externally based coping strategies, such as drinking and smoking.

High levels of job satisfaction for male and female respondents alike were reported for those in the fields of family

law, intellectual property and civil litigation. Men in particular also found satisfaction in banking and finance related areas. General practice, criminal law and estates and wills were among those areas regarded as being low in job satisfaction.

Family law, banking and finance, although rating high in the job satisfaction stakes, were also considered to have the greatest negative impact on health. The least negative impact on health was reported by those working in the areas of the estates and wills and conveyancing.

56% of respondents reported that their health suffered as a result of work related stress, with almost two thirds of women citing work stress as a cause of illhealth.

