



## **Submission from the Forum of Australian Services for Survivors of Torture and Trauma to the Inquiry into Australia's Human Rights Framework**

**July 2023**

The Forum of Australian Services for Survivors of Torture and Trauma (FASSTT) appreciates the opportunity to provide this submission to assist the Committee's inquiry into Australia's Human Rights Framework.

FASSTT is a network of Australia's eight specialist rehabilitation agencies that work with survivors of torture and other traumatic experiences who have come to Australia from overseas. There is a FASSTT member agency in each state and territory of Australia.<sup>1</sup>

Most clients of FASSTT agencies have come to Australia under the Refugee and Humanitarian Program. FASSTT agencies also work with survivors of torture and other traumatic experiences who have come to Australia as asylum seekers.

This submission from FASSTT focuses on the human rights situation of many former and current FASSTT clients, people living in Australia who have refugee status or who are applying for protection as refugees or on complementary human rights grounds.

We are mindful that the inquiry will receive submissions from many individuals and agencies who are very knowledgeable about human rights issues pertinent to the community at large and to a range of specific groups. There will likely be strong support for the Australian Human Rights Commission's proposals to

broaden the rights that are legally protected, such as those derived from the International Covenant on Economic, Social and Cultural Rights, to impose a duty on public authorities to give proper consideration to human rights when making decisions, and enabling vulnerable groups to have a voice in decisions that affect them. FASSTT supports the proposed broadening of rights to be protected.

## **Overview of the Submission**

The inquiry's terms of reference ask "whether existing mechanisms to protect human rights in the federal context are adequate and if improvements should be made."

As documented below, current mechanisms do not adequately protect the human rights of many people living in Australia who are applying for protection as refugees and on complementary human rights grounds.

In our submission, FASSTT brings to attention four consequences of the existing mechanism which highlight the egregious treatment and uncertain future for people seeking protection in Australia:

- Our clients and many other people have been subjected to arbitrary<sup>ii</sup> and indefinite immigration detention;
- Arbitrary and indefinite detention has caused and exacerbated mental and physical health problems;
- Other aspects of the treatment of people in immigration detention, such as the use of handcuffs without reasonable cause, have been inhumane and cruel;
- Many people living in the community who are applying for protection as refugees have been prohibited from working and have had no or very inadequate assistance to meet their basic needs for food, shelter and health care.

Other significant concerns cited by monitoring bodies, clients, researchers and civil society organisations who work with people seeking asylum and refugees include:

- lack of access to physical and mental health care and rehabilitative, recreational and educational opportunities;

- isolation within detention facilities;
- certain “unauthorised maritime arrivals” (those who arrived by boat without a valid visa) whose protection applications were processed under a different procedure to ordinary applicants and may not have received a fair assessment of their claims;<sup>iii</sup>
- lack of access to free legal assistance for asylum seekers;
- assessment of claims at sea of intercepted asylum seekers;
- regional processing arrangements – the Australian Government retains the option to transfer to Nauru, people without valid visas who seek to arrive to Australia by sea; and
- the cancellation of visas (and indefinite detention) of refugees owed non-refoulement obligations.<sup>iv</sup>

Improvements are necessary to address ongoing violations of the human rights of many people and to prevent their recurrence. A Human Rights Act as recommended by the Australian Human Rights Commission may enhance the protection of certain rights of people seeking protection as refugees who are detained in immigration detention facilities or living in the community, by enshrining additional rights in legislation and enhancing or establishing mechanisms for the enforcement of the rights.

However, it would not provide a legal mechanism to end arbitrary and indefinite immigration detention, because the Commission’s model would retain the validity of the Migration Act, which is the legal basis for the Australian Government’s detention policy and practice.

### **Australia’s Use of Arbitrary and Indefinite Immigration Detention**

***The current system of immigration detention permits people to be detained arbitrarily and indefinitely.***

Australian law permits the Commonwealth Government to detain people without visas for indefinite periods. This power has been used to detain thousands of men, women and children. It continues to be used albeit the number of people has significantly decreased, and children are now detained infrequently.<sup>v</sup>

People have been and are being detained without rigorous assessment of whether it is necessary and reasonable to do so. This situation is lawful. As stated by the Chief Justice of the High Court in the case of *Al-Kateb v Godwin*

One of the features of a system of mandatory, as distinct from discretionary detention is that circumstances personal to a detainee may be irrelevant to the operation of the system. A person in the position of the appellant might be young or old, dangerous or harmless, likely or unlikely to abscond, recently in detention or someone who has been there for years, healthy or unhealthy, badly affected by incarceration or relatively unaffected. The considerations that might bear upon the reasonableness of a discretionary decision to detain such a person do not operate.<sup>vi</sup>

The Australian Human Rights Commission and international human rights bodies have repeatedly criticised deficiencies in the legal and administrative procedures to determine whether to detain people and they have repeatedly concluded that the system allows arbitrary detention which breaches Australia's human rights obligations.<sup>vii</sup> As the United Nations Human Rights Committee concluded after examining a complaint from five detained people:

Whatever justification there may have been for an initial detention, such as for purposes of ascertaining identity and other issues, the State party has not, in the Committee's opinion, demonstrated on an individual basis that their continuous indefinite detention was justified. The State party has not demonstrated that other, less intrusive, measures could not have achieved the same end of compliance with the State party's need to respond to the security risk that the authors were said to represent. Furthermore, the authors were kept in detention in circumstances where they were not informed of the specific risk attributed to each of them and of the efforts made by the Australian authorities to find solutions that would allow them to obtain their liberty. They were also deprived of legal safeguards allowing them to challenge effectively the grounds for their indefinite detention. For all these reasons, the Committee concludes that the detention of the authors was arbitrary and contrary to article 9 (1) of the Covenant.<sup>viii</sup>

***Prolonged, arbitrary immigration detention harms the health of people detained.***

There is a substantial body of research demonstrating that arbitrary and prolonged immigration detention is a significant cause of and contributor to mental health problems.<sup>ix</sup>

This is substantiated by the experience of the clients of FASSTT agencies, which we have documented on behalf of numerous clients seeking the exercise of Ministerial discretion to release them.

Human rights bodies considering the complaints of individuals have concluded that the treatment of people in immigration detention facilities has amounted to cruel, inhuman and degrading treatment in violation of Australia's human rights obligations.<sup>x</sup>

Recently, the United Nations Special Rapporteur on Torture, Alice Edwards, stated that when people are detained for more than three months "without an end in sight, being held in legal limbo", their treatment could begin to be classified as enduring degrading, inhumane or psychological torture. It is inhumane to allow never-ending, unreviewable detention.<sup>xi</sup>

In response to adverse findings of the Human Rights Committee, the Australian Government asserted that the right to be free from torture or cruel, inhuman and degrading treatment does not give rise to an obligation to release detainees, rather it imposes an obligation to protect the physical and mental health of detained individuals.<sup>xii</sup> The Government argued that as it provided mental health screening and access to health care specialists on site, the treatment of the detainees in that case did not reach a threshold to constitute a violation of its human rights obligations.

The Committee rejected the Government's assertions that the provision of health services effectively addresses the adverse impacts of prolonged arbitrary detention:

(T)hese services do not take away the force of the uncontested allegations regarding the negative impact that prolonged indefinite detention on grounds that the person cannot even be apprised of can have on the mental health of detainees. These allegations are confirmed by medical reports concerning some of the authors. The Committee considers that the combination of the arbitrary character of the authors' detention, its protracted and/or indefinite duration, the refusal to provide information and procedural rights to the authors and the difficult conditions of detention are cumulatively inflicting serious psychological harm upon them and constitute treatment contrary to... (the prohibition of torture cruel, inhuman or degrading treatment or punishment of article 7 of the International Covenant on Civil and Political Rights)....<sup>xiii</sup>

Based on our considerable experience over many years, FASSTT agencies also disagree with the Government's assertion that providing mental health services to people who are detained is an effective means to respond to the damage the system causes. The provision of mental health services may at best ameliorate but not alleviate the harmful consequences of indefinite, arbitrary detention.

The evidence for fundamental change is compelling.

## **The Australian Human Rights Commission's proposed Human Rights Act and Immigration Detention**

### ***Arbitrary detention***

The Commission's approach to an Australian human rights law is based on the principle of "parliamentary sovereignty" which means that Parliament can pass laws that contravene human rights, and the judiciary cannot invalidate legislation for incompatibility with human rights.<sup>xiv</sup>

As immigration detention is based on the Migration Act, it will continue to be lawful, despite the proposed inclusion in the Human Rights Act of a provision that "(a) person must not be subjected to arbitrary arrest or detention."<sup>xv</sup> Legislative change is necessary to conclusively end the systemic basis of the violation.

### ***Treatment of people who are detained***

The Australian Human Rights Commission proposes that that Human Rights Act include two rights based on Australia's international human rights obligations that are pertinent to the treatment of people who are detained: people must not be subjected to torture and cruel, inhuman or degrading treatment and people deprived of their liberty must be treated with humanity and with respect for the inherent dignity of the human person.<sup>xvi</sup> These rights are pertinent to immigration detention.

As related above, international human rights bodies have concluded that various circumstances of Australia's immigration detention system as well as its arbitrariness violate the prohibition on cruel, inhuman and degrading treatment and punishment.

With respect to the obligation to treat detained people with humanity, the Australian Human Rights Commission has found that this was breached by the

use of mechanical restraints on a person in immigration detention whose history did not demonstrate that he was a danger to other people:

(Mr DB was) required to wear handcuffs in order to attend external medical appointments. Having considered in detail Mr DB's security assessments and the incidents he was involved in while in detention, I (Rosalind Croucher, President, Australian Human Rights Commission) find that this requirement was not reasonable in the circumstances or proportionate to relevant risks. I am particularly concerned that there do not appear to be any documents that consider whether the requirement that Mr DB be restrained was appropriate given the medical risks that he faced if treatment was not provided. I find that the requirement that he be handcuffed to attend these medical appointments was contrary to his rights under article 10 of the ICCPR to be treated with humanity and with respect for his inherent dignity.<sup>xvii</sup>

The Human Rights Commission has reiterated its concern about the use of restraints in a recent report on the use of hotels as "alternative places of detention."

While it is recognised that there may be a legitimate need to use physical restraints in certain circumstances, it is also important to acknowledge that the use of restraints on detainees may risk exacerbating some medical conditions...and is particularly problematic with respect to individuals who have previously been victims of torture and trauma.<sup>xviii</sup>

The Commonwealth Ombudsman has also expressed concern about the use of restraints in immigration detention settings, in particular for people attending off-site medical appointments.<sup>xix</sup> As the Ombudsman has reported, "the use of restraints on detainees accessing medical treatment risks exacerbating some medical conditions, especially some mental health issues, and often reduces the willingness of detainees to seek medical treatment."<sup>xx</sup>

FASSTT agencies also have clients whose records do not indicate that they are dangerous or likely to abscond but are required to be handcuffed to be brought for counselling at FASSTT premises or locations external to the detention facility, or to attend medical appointments. Clients report that being transported to appointments in handcuffs is humiliating and re-traumatising.

### ***Violations of the rights of people seeking protection who live in the community***

Our clients seeking asylum who live in the community frequently encounter significant difficulties arising from two circumstances: they are prohibited from working and thereby earning incomes to meet their basic needs; and there is a woefully inadequate safety net for people seeking protection who are not allowed to work or who are unable to work or find work.

With respect to work, numerous people seeking asylum are granted visas that prohibit them from working or they are granted visas for relatively short periods and these visas are not renewed promptly when they lapse. The impact is that the asylum seekers become “unlawful non-citizens” and are prohibited from working and are vulnerable to being detained.<sup>xxi</sup>

The Commonwealth Government’s Status Resolution Support Services (SRSS) Program is meant to be a basic safety net for people seeking protection in Australia who are unable to work, providing a small amount of financial assistance<sup>xxii</sup>. It is not afforded to people who are deemed able to find work even if they cannot do so [due to visa lapse or unavailability of work]. The consequences are dire for the health and wellbeing of many people living in the community, including clients of FASSTT agencies. As described by the Refugee Council of Australia:

Frontline asylum support charities and community groups simply cannot meet the demand for their services. Food insecurity has reached a catastrophic point, with children from asylum-seeking families being treated for malnourishment and associated developmental delays because they do not have access to sufficient nutritious food. Parents are going two or three days without food to ensure that the small offerings gathered from food pantries will go to their kids first.<sup>xxiii</sup>

FASSTT draws attention to the potential impact of Human Rights Act to protect vulnerable and marginalised people cited by the Australian Human Rights Commission, which describes a UK case demonstrating that the prohibition on inhuman and degrading treatment in its proposed Human Rights Act could provide a basis for securing the rights of people living in the community who are seeking asylum and other “vulnerable and marginalised people.”<sup>xxiv</sup>

In the UK, legislation was enacted that meant that last claimants for asylum, could not access welfare while their applications were



considered. They were also prevented by law from working, “paid or unpaid, or engaging in any business or profession.”

Three men whose asylum claims were rejected took their cases to the House of Lords...Due to their inability to either work or gain welfare support, they had been forced into rough sleeping and begging for food. The Court unanimously found a breach of the prohibition on inhuman and degrading treatment and used a provision which explicitly referenced the need to comply with the Human Rights Act in the relevant legislation to insist that they be provided with support.<sup>xxv</sup>

The UK case was brought under that country’s Human Rights Act, which is based on the articles of the European Convention on Human Rights. The Convention comprises what are commonly described as “civil and political rights.”

The Human Rights Commission has called for an independent review of the SRSS program “to ensure that eligibility criteria are appropriately defined and that an appropriate duration and level of support is being provided.”<sup>xxvi</sup> The Department of Home Affairs disagreed with this recommendation.<sup>xxvii</sup>

The Commission’s proposed Australian Human Rights Act would provide a more direct remedy for these concerns because it is to include “economic, social and cultural rights” as articulated by the International Covenant on Economic, Social and Cultural Rights. The Commission states that the proposed right to an adequate standard of living includes the right to access adequate housing and the right to have access to adequate food, water and clothing.<sup>xxviii</sup> As the Commission states,

(t)his would require adequate provision of necessities required to maintain a basic standard of living and dignity, and to ensure survival through the prevention (of) destitution, homelessness and starvation.<sup>xxix</sup>

## **Conclusion**

FASSTT welcomes the Committee’s inquiry as a necessary opportunity to address the current human rights mechanisms which fail to protect the rights of many people living in Australia who are applying for protection as refugees and on complementary human rights grounds.

In particular, the current mechanisms

- permit people to be subjected to arbitrary and indefinite immigration detention, causing and exacerbating harm to their mental and physical health;
- provide an inadequate safeguard against inhumane treatment such as the unnecessary use of mechanical restraints; and
- prohibit some from working without providing financial assistance to meet their basic needs.

Several of these concerns would be positively addressed if the Parliament legislated a Human Rights Act as recommended by the Australian Human Rights Commission. Detaining authorities would be obliged to treat people in detention with humanity and the Government would be obliged to allow people seeking protection to work and protect those unable to work from destitution.

However, the Commission's proposed model does not prevent the Government from detaining people arbitrarily and indefinitely. This requires legislation to amend the Migration Act. FASSTT submits that the Parliamentary Joint Committee on Human Rights should recommend that the Parliament legislate to prohibit arbitrary and indefinite immigration detention.

## **APPENDIX 1**

### **FASSTT Member Agencies**

ASeTTS: Association of Services to Torture and Trauma Survivors

Address: 286 Beaufort St,

Perth, WA 6000

Telephone: 08 9325 6272

Companion House

Address: 41 Templeton Street, Cook, ACT 2614

Telephone: 02 6251 4550

Melaleuca Refugee Centre: Torture and Trauma Survivors Service of the Northern Territory

Address: 24 McLachlan Street, Darwin, NT, 0800

Telephone: 08 8985 3311

Phoenix Centre

Address: Level 2

1a Anfield Street

Glenorchy, TAS, 7010

Telephone: 03 6234 9138

QPASTT: Queensland Program of Assistance to Survivors of Torture and Trauma

Address: 28 Dibley, Street, Woolloongabba, QLD 4102

Telephone: 07 3391 6677

STARTTS: Service for the Treatment and Rehabilitation of Torture and Trauma Survivors

Address: 152 The Horsley Drive, Carramar, NSW 2163

Telephone: 02 9794 1900

STTARS: Survivors of Torture and Trauma Assistance and Rehabilitation Service

Address: 81 Angas Street, Adelaide, SA 5000

Telephone: 08 8346 5433

VFST: Victorian Foundation for Survivors of Torture

Address: 4 Gardiner St, Brunswick, VIC 3056

Telephone: 03 9388 0022

Correspondence to:

FASSTT: 28 Dibley Street, Woolloongabba, QLD 4102

Attn: Jamila Padhee FASSTT Coordinator

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- <sup>i</sup> See Appendix 1 for List and contact information for FASSTT agencies.
- <sup>ii</sup> Article 9 of the International Covenant on Civil and Political Rights, to which Australia is a party, provides that “Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention.” Under international law, “(a)rbitrariness” is to be interpreted broadly to include not only unlawfulness, but also elements of inappropriateness, injustice and lack of predictability. To guard against arbitrariness, any detention needs to be necessary in the individual case, reasonable in all the circumstances and proportionate to a legitimate purpose.” UN High Commissioner for Refugees (UNHCR), Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention, 2012 – page 16.
- <sup>iii</sup> Kaldor Centre for International Refugee Law, *Hot topics: Temporary protection and ‘fast tracking’*, <https://www.kaldorcentre.unsw.edu.au/hot-topics-temporary-protection-and-%E2%80%98fast-tracking%E2%80%99>
- <sup>iv</sup> See for example Commonwealth Ombudsman “Monitoring Immigration Detention – the Ombudsman Oversight of immigration detention, 1 July 2020 to 30 June 2021” Report no/01, 2022; Commonwealth Ombudsman “Submission by the Commonwealth Ombudsman to the Committee against Torture in its consideration of Australia’s sixth periodic report under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 30 September 2022; Australian Human Rights Commission, “Inspection of Australia’s immigration detention facilities 2019 report” December 2020; Kaldor Centre et al, “Submission to the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT), Visit to Australia in October 2022 – civil society recommendations in relation to immigration detention,” <https://www.kaldorcentre.unsw.edu.au/publication/submissions?page=1>.
- <sup>v</sup> Department of Home Affairs, *Visa Statistics – Immigration Detention*, <https://www.homeaffairs.gov.au/research-and-statistics/statistics/visa-statistics/live/immigration-detention>
- <sup>vi</sup> *Al-Kateb v Godwin* (2004) 219 CLR 562, 574.
- <sup>vii</sup> Australian Human Rights Commission, *Free and Equal - a Human Rights Act for Australia*, 2022, page 57; the Commission has summarised two decisions of the UN Human Rights Committee on complaints brought by people against the Australian Government here: <https://humanrights.gov.au/our-work/asylum-seekers-and-refugees/publications/casenote-fkag-v-australia-and-mmm-v-australia>.
- <sup>viii</sup> F.J. et al. v. Australia, No. 2233/2013, UN Human Rights Committee (HRC), 2 May 2016, paragraph 10.4. <https://humanrights.gov.au/our-work/asylum-seekers-and-refugees/publications/use-force-immigration-detention>
- <sup>ix</sup> *Australian research*: Coffey et al, The meaning and mental health consequences of long-term immigration detention for people seeking asylum Soc Sci Med, Jun; 70(12):2070-2079, doi: 10.1016/j.socscimed.2010.02.042. Epub 2010 Mar 20; K Hedrick et al Self-harm among asylum seekers in Australian onshore immigration detention: how incidence rates vary by held detention type BMC Public Health, 2020 Apr 30;20(1):592, doi: 10.1186/s12889-020-08717-2; P Young and M Gordon Mental health screening in immigration detention: A fresh look at Australian government data Australas Psychiatry, 2016 Feb; 24(1):19-22. doi: 10.1177/1039856215624247. Epub 2016 Jan 11; Steel, Z., Momartin, S., Silove, D., Coello, M., Aroche, J., & Tay, K. W. (2011). Two year psychosocial and mental health outcomes for refugees subjected to restrictive or supportive immigration policies. *Social Science & Medicine*, 72(7), 1149-1156, available at: <http://dx.doi.org/10.1016/j.socscimed.2011.02.007>; The health of people in Australian immigration detention centres, <https://www.mja.com.au/journal/2010/192/2/health-people-australian-immigration-detention-centres> - this reports key findings of a study arising from a recommendation of the then Detention Health Advisory Group, consisting of representatives from a key clinical association that independent research be undertaken on the health of people in detention.
- For international reviews of research see:* M von Werthern et al, “The impact of immigration detention on mental health: a systematic review” BMC Psychiatry, 2018 Dec 6; 18(1):382. doi: 10.1186/s12888-018-1945-y; Nickerson A, Liddell B, Asnaani A, Carlsson JM, Fazel M, Knaevelsrud C, et al. Trauma and Mental Health in

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Forcibly Displaced Populations. An Int. Soc. Traumatic Stress Stud. (2017), available at: <https://istss.org/public-resources/istss-briefing-papers/trauma-and-mental-health-in-forcibly-displaced-pop>.

<sup>x</sup> *K.A.G. et al. v Australia* (UN Doc CCPR/C/108/D/2094/2011) and *M.M.M. et al. v Australia* (UN Doc CCPR/C/108/D/2136/2012) 20 August 2013. Article 7 of the International Covenant on Civil and Political Rights provides that “(n)o one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

<sup>xi</sup> “Limitless detention of refugees is inhumane and must end, says UN torture watchdog,” Sydney Morning Herald, May 18, 2023, <https://www.smh.com.au/national/limitless-detention-of-refugees-is-inhumane-and-must-end-says-un-torture-watchdog-20230414-p5d0et.html>.

<sup>xii</sup> [https://remedy.org.au/correspondence/1412\\_Austn\\_response\\_to\\_FKAG&MMM.pdf](https://remedy.org.au/correspondence/1412_Austn_response_to_FKAG&MMM.pdf) IBID, [25]

<sup>xiii</sup> F.K.A.G. et al. op cit, paragraph 9.8.

<sup>xiv</sup> Australian Human Rights Commission, *Free and Equal - a Human Rights Act for Australia*, 2022, page 71.

<sup>xv</sup> Australian Human Rights Commission, *Free and Equal - a Human Rights Act for Australia*, 2022,, page 112.

<sup>xvi</sup> Australian Human Rights Commission, *Free and Equal - a Human Rights Act for Australia*, 2022, pages 110 and 112.

<sup>xvii</sup> Commonwealth Ombudsman – Monitoring Immigration Detention 1 July 2020 to 30 June 2021, page 47

<sup>xviii</sup> Australian Human Rights Commission, *The Use of Hotels and Alternative Places of Detention (APODS)*, June 2023, page 35.

<sup>xix</sup> For example, Commonwealth Ombudsman, *Monitoring Immigration Detention, 1 July 2020 to 30 June 2021*, page 55.

<sup>xx</sup> Commonwealth Ombudsman – Monitoring Immigration Detention 1 July 2020 to 30 June 2021, page 47.

<sup>xxi</sup> Under the Migration Act 1958, section 189, officers of the Home Affairs Department and police among others must detain people who do not have valid visas.

<sup>xxii</sup> Refugee Council of Australia, ‘How much are the SRSS payments?’, <https://www.refugeecouncil.org.au/qa-changes-srss/4/>

<sup>xxiii</sup> Refugee Council of Australia, [https://action.refugeecouncil.org.au/email\\_your\\_mp\\_srss](https://action.refugeecouncil.org.au/email_your_mp_srss)

<sup>xxiv</sup> Australian Human Rights Commission, *Free and Equal - a Human Rights Act for Australia*, 2022, page 110.

<sup>xxv</sup> Australian Human Rights Commission, *Free and Equal - a Human Rights Act for Australia*, 2022, page 89.

<sup>xxvi</sup> Australian Human Rights Commission, *The Use of Hotels and Alternative Places of Detention (APODS)*, June 2023, page 73.

<sup>xxvii</sup> Department of Home Affairs response to the Australian Human Rights Commission’s recommendations, [https://humanrights.gov.au/hotel\\_apods\\_2023](https://humanrights.gov.au/hotel_apods_2023), page 7.

<sup>xxviii</sup> Australian Human Rights Commission, *Free and Equal - a Human Rights Act for Australia*, 2022, page 129.

<sup>xxix</sup> Australian Human Rights Commission, *Free and Equal - a Human Rights Act for Australia*, 2022, pages 129-130.