Submission on the Proposed Pilot of a Private/Community Refugee Sponsorship Program

Department of Immigration and Citizenship

Contents

Introduction ............................................................................................................................................. 3

Background ........................................................................................................................................... 3

1. Would a pilot of a private/community sponsorship program for refugees be feasible? 4

2. Are there any alternative or additional measures that the Government could consider in order to increase Australia’s Humanitarian Program without a significant budgetary impact? ........................................................................................................................................ 4

4. What type of vetting or checking should be required for sponsors wishing to sponsor a refugee under a pilot? ................................................................................................................................. 5

Example of the problem of inadequate vetting/checking under the SHP ........................................... 5

5. How should potential applicants be identified for sponsorship and prioritised for visa processing under the pilot? ........................................................................................................................................ 6
6. What involvement should community organisations, UNHCR and the Australian Government have in identifying refugees for sponsorship?

7. What responsibilities should sponsors have and what undertakings should they be required to give?

8. Should the level of support by sponsors, and the length of time it should continue, be defined?

9. Should a sponsored refugee be eligible for HSS services?

10. What government services should the refugee be able to access once they are in Australia?

11. How should sponsors be monitored by Government or a third party to ensure their responsibilities to the sponsored refugee are being met?

12. What is the most appropriate way for the Government to ensure that sponsors comply with their sponsorship obligations?

13. What role could the payment of a bond play in ensuring that sponsors adequately provide for sponsored refugees?

14. Should sponsored refugees exit the scheme after a certain period?
Introduction

1. The St Vincent de Paul Society is a respected charitable Catholic organisation operating in 148 countries around the world. In Australia we operate in every State and Territory with more than 50,000 members and volunteers committed to our work of social assistance and social justice. We are accountable to the people in our community who are marginalised by structures of exclusion and injustice.

2. On 8 May 2012, the Minister for Immigration and Citizenship, the Hon Chris Bowen MP, announced the government would be seeking the community’s views on a private sponsorship pilot program (“the program”) by way of discussion paper dated 20 June 2012.

3. The National Council of the St Vincent de Paul Society (“the Society”) welcomes the opportunity to comment on the program.

Background

4. By way of background, the St Vincent de Paul Society has a long history of helping migrants and refugees. Catholic social teaching places a special onus on the St Vincent de Paul Society to help those who seek asylum, having fled war, persecution, injustice or intolerance.

5. The St Vincent de Paul Society has a migrant and refugee service in each State and Territory in Australia, providing various services to refugees including: home visitation, financial assistance, employment support services, case worker support services, counselling, advocacy, recreational and educational activities, housing and immigration information, and offering them friendship and support, among other things.

6. Around Australia, the St Vincent de Paul Society operates a number of migrant and refugee programs and settlement services for example, SPARK program, North Coast Settlement Services, Riverina Humanitarian Settlement Services, Brisbane and Ipswich Settlement Services, Migration Advice Service (Logan and Gold Coast), VoRTCS Refugee Tutoring Program, Refugee Airfare NILS.

7. The Society witnesses firsthand the benefits of Australia’s Humanitarian Program to those needing long-term protection and to the broader Australian community which is enriched by the contributions, knowledge and culture of new community members.

8. We have previously urged the Australian government to:

   (a) Increase the refugee settlement intake to 20,000 per year over five years;

   (b) Demonstrate commitment to the Refugee Convention by ending the numerical link between onshore protection and offshore resettlement programs;

   (c) Abandon any form of offshore processing of asylum claims;

   (d) End mandatory and indefinite detention of asylum seekers; and

---

1 St Vincent de Paul Society, Submission to the Department of Immigration and Citizenship on Australia’s Humanitarian Program 2012-2013 and beyond, January 2012, 6.
(e) Demonstrate leadership in a Regional Protection Framework that puts the protection of asylum seekers at the centre of rights-based regional solutions.

9. We believe that an increase in Australia’s refugee intake is a positive step; however we are of the view that this should be done through the Special Humanitarian Program rather than a private/community sponsorship program. In any case, we set out answer to questions posed in the discussion paper below.

1. Would a pilot of a private/community sponsorship program for refugees be feasible?

10. The Society believes if more Special Humanitarian Program (SHP) places were available, there would be enough proposers and sponsors in the community, and as such there would probably be no need to implement a program of this kind. Indeed in the 2011-2012 year 24,500 people were proposed while only around 3,000 people were granted visas.  

11. In any event, we believe that a program of this sort would be feasible as long as certain safeguards are in place. We recommend that the Government consider the following safeguards:

   (a) That sponsors are adequately vetted/checked for their capacity to sponsor a refugee (discussed at Question 4 below);

   (b) That there are clear sponsorship targets (or milestones) for sponsors, and that these are met by sponsors (discussed at Question 8 below);

   (c) That there be a system of oversight to check if sponsorship responsibilities are being met by the sponsor (discussed at Question 11 below).

2. Are there any alternative or additional measures that the Government could consider in order to increase Australia’s Humanitarian Program without a significant budgetary impact?

12. Granted that it costs between $140-850 per asylum seeker per night in a detention centre and community processing costs approximately $215 per week per asylum seeker, the Government could save up to $765-5,735 per asylum seeker per week by moving all asylum seekers currently in a detention centre into community detention.

13. As at May 2012 there appear to be 3,490 people in Immigration Detention Centres. Taking the more conservative figure of $140 as the cost of keeping an asylum seeker in immigration detention for one night, the Government could save approximately $2.6 million per week in transferring those people into community detention, or approximately $135 million per year.

14. A saving of this sort could potentially open up a significant number of places in the SHP. However, it should be noted that the Society does not support any form of mandatory detention for asylum seekers, including community detention.

---

3. Who should be able to sponsor refugees under a pilot program?

15. We believe that the definition under the SHP as to who may be able to propose or sponsor a refugee would be adequate for the purposes of the pilot program.

4. What type of vetting or checking should be required for sponsors wishing to sponsor a refugee under a pilot?

16. We believe that the problem that we currently see under the SHP program may be replicated under the proposed program whereby people propose/sponsor refugees and subsequently abandon them when they arrive in Australia.

**Example of the problem of inadequate vetting/checking under the SHP**

17. Members of the Society have come across households of young refugee boys and men that have been sponsored to come to Australia and then left to their own devices. Members have observed that these boys and men have not been connected with employment and education opportunities and as a result they live in public housing and receive Centrelink benefits. Lacking life skills (through no fault of their own), they struggle to survive and adequately take care of themselves.

18. We believe that this issue could be addressed by adequate vetting or checking of sponsors.

19. The type of vetting or checking that may be required of sponsors under a pilot may be that they must:

   (a) Demonstrate that they have the capacity and willingness to provide the refugee with travel, short-term accommodation and orientation on arrival and assist the refugee in registering with Centrelink, bank services, accessing medical services, finding work or study options.

   (b) Demonstrate that they have thought about how they intend to assist the refugee to access the following services:

   i. Housing;
   ii. Centrelink;
   iii. Employment;
   iv. Health care;
   v. Childcare;
   vi. Banking;
   vii. Public transport;
   viii. Language services; and
   ix. Torture and trauma counselling (if applicable);

We do not necessarily suggest that proposers would need to address every one of the above criteria, but the above may be examples of some of the criteria that persib
ought to have considered prior to proposing/sponsoring a refugee. This would indicate that they have given serious consideration to their responsibilities and considered how they might assist the refugee in many aspects of life following their re-settlement.

(c) Demonstrate that they have adequate time commitments to devote to the sponsorship of a refugee. This may involve asking them about their currently family, work and other commitments which may impede on their time to sponsor/propose a refugee.

(d) That if they have previously supported a refugee whether under the pilot program or SHP, they have fulfilled the requirements of the proposal and if not, why not.

20. The Government may also consider asking sponsors to undergo a police check. For example, if a person has a criminal record DIAC should determine how relevant that criminal record might be to the person’s capacity to propose/sponsor a refugee.

5. How should potential applicants be identified for sponsorship and prioritised for visa processing under the pilot?

21. Obviously applicants most in need ought to be prioritised for sponsorship. However, we express no opinion as to how potential applicants for sponsorship might be identified for sponsorship.

6. What involvement should community organisations, UNHCR and the Australian Government have in identifying refugees for sponsorship?

22. As above, we make no comment as to who should assist the Australian Government in identifying potential applicants for sponsorship.

7. What responsibilities should sponsors have and what undertakings should they be required to give?

23. The discussion paper states that a “pilot program would require sponsors to take responsibility for assisting refugees with most, if not all, of their settlement”. This appears to indicate that that sponsor would be responsible for financially supporting the refugee rather than the refugee having access to basics such as Centrelink. If this were the case then the sponsor would also have to cover the costs of settlement such as food expenses, furniture, household goods, private rental etc. We believe that this would be an unfair imposition on the sponsor. Refugees should still be able to access some basic assistance from the Government (such as those described at Question 9, below).

24. In terms of the undertakings that the sponsor might give we believe that they should include undertakings to provide support as outlined at Question 4, paragraph 19(a) above.

25. Obviously the level of support and responsibilities required for refugees would vary with each refugee. For example, some refugees will have had very little by way of services available to them in refugee camps and as a result they may be less equipped to deal with life in Australia. However, others may come from better resourced refugee camps with computer and internet access. These refugees might be able to adapt to life in Australia with more ease, and would not necessarily need as much assistance to settle into Australia.

26. As such, we believe that the responsibilities and undertaking of sponsors should be flexible, depending on the needs of the particular refugee.
8. Should the level of support by sponsors, and the length of time it should continue, be defined?

27. We believe that defining the level of support for the sponsorship is vital to ensuring adequate care of refugees upon their arrival in Australia. We believe that the length of the sponsorship could be defined through the achievement of certain milestones or after a fixed period of time has passed, whichever is faster.

28. The achievement of milestones such as study or employment, long-term accommodation and adequate order of financial affairs may be the endpoint at which sponsorship responsibilities have been met. However, even if these milestones haven’t been met after a fixed period of time has passed, then the sponsorship responsibilities would cease.

9. Should a sponsored refugee be eligible for HSS services?

29. Yes, we believe that sponsored refugees be eligible for some of the Humanitarian Settlement Services, such as employment services and access to the Adult Migrant English Programs like other refugees. The Government should also cover the medical costs involved in the application for sponsorship.

30. The sponsor should provide assistance with travel, short-term accommodation and orientation on arrival. They should also assist the sponsored refugees in registering with Centrelink, opening bank accounts, accessing medical services, finding work or study options.

31. However, we believe that refugees should not be beholden or financially reliant on their sponsors. The end goal of the sponsorship program should be financial and personal independence from the sponsor.

10. What government services should the refugee be able to access once they are in Australia?

32. Sponsored refugees should be eligible for the same government services as other refugees. This should include access to Centrelink benefits, public housing, health care, employment services and education opportunities (including English language classes).

11. How should sponsors be monitored by Government or a third party to ensure their responsibilities to the sponsored refugee are being met?

33. The monitoring of the ongoing support the sponsor is providing could be done by a DIAC caseworker (at for example, the 3, 6 or 12 month settlement marks), and where the sponsor is not meeting their responsibilities a community organisation (that is funded by the Government) could assist the sponsor to meet their responsibilities or provide support to the refugee directly.

12. What is the most appropriate way for the Government to ensure that sponsors comply with their sponsorship obligations?

34. Sponsors ought to be monitored from time to time to check if settlement is occurring at a reasonable rate and if not, the reasons for that not occurring.

35. In the instance that a sponsor does not comply with their sponsorship obligations we believe that fines or criminal sanctions should not be imposed as they are punitive measures that
may act as a deterrent for sponsorship. Instead, the Government may wish to consider a mediation process for resolving settlement issues between the sponsor and refugee. Failing mediation, the refugee might be referred to a community organisation that would assist the sponsor in fulfilling their responsibilities or fully assume their settlement responsibilities for the remainder of the settlement program.

13. **What role could the payment of a bond play in ensuring that sponsors adequately provide for sponsored refugees?**

36. A bond may be a way of holding sponsors to account but we question how it might operate. Who would decide a bond should or shouldn’t be returned? In what circumstances should or shouldn’t a bond be returned? Who retains the bond if a determination is made that it be withheld? What would the amount of the bond be?

37. It should be noted that a bond system might be a deterrent for people who may not necessarily have the means of forfeiting cash or goods but who are nonetheless willing to sponsor refugees. If a bond were to be imposed, it ought to be a reasonable amount, determined with reference to the sponsor’s income and other financial responsibilities (particularly if the sponsor is already required to provide some financial assistance for settlement).

14. **Should sponsored refugees exit the scheme after a certain period?**

38. As submitted above, refugees might exit the scheme after certain milestones have been reached or after a certain period of time has passed, whichever is faster.

**Contact:**  
**Dr John Falzon**  
Chief Executive Officer  
National Council of the St Vincent de Paul Society  
(02) 6202 1200