



St Vincent de Paul Society
NATIONAL COUNCIL *good works*

ABN: 50 748 098 845

National Council of Australia Inc
Units 4-5
22 Thesiger Court
Deakin ACT 2600
PO Box 243
Deakin West ACT 2600
Telephone: (02) 6202 1200
Facsimile: (02) 6285 0159
Website: www.vinnies.org.au
Donation Hotline: 13 18 12

Humanitarian Program submission
Assistant Secretary
Humanitarian Branch
Department of Immigration and Citizenship
PO Box 25
Belconnen ACT 2616
Australia

By email: humanitarian.submission@immi.gov.au

Submission to Australia's Humanitarian Program: 2013-14 Consultations

25 January 2013

Background

The St Vincent de Paul Society (the Society) is a respected lay Catholic charitable 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. The National Council is charged with representing the Society on a national basis, and in particular in the area of advocacy. The Society is accountable to the people in our community who are marginalised by structures of exclusion and injustice.

The Society has a strong history of working with migrants and refugees. Catholic social teaching places a special onus on us to help people who have fled their homeland due to war, persecution, injustice or intolerance, and who are now seeking asylum on our doorstep. To that end, the Society operates a migrant and refugee service in each State and Territory in Australia, which assists with everything from helping refugees lodge appeals against adverse decisions, to providing living support for those newly in our community, to providing refugees the

opportunity to enhance their work-experience by volunteering with the Society. We also run a national Vincentian Refugee Network, and coordinate visits to immigration detention facilities, for example Villawood. Through these experiences, our volunteers have witnessed first-hand many of the daily struggles that asylum seekers and refugees in detention and in our community face, as well as hearing their stories of persecution in their homeland. We consider it a privilege to assist, and stand in solidarity with, these brave and often remarkable people.

On 8 January 2013, the Society was invited to provide our views and ideas on the size and composition of Australia's Humanitarian Program for 2013–14.

Australia's Humanitarian Program

Australia's Humanitarian Program plays an important role in the resettlement of refugees. The Society strongly supports the recent increase in the number of humanitarian entrant visas from 13,750 to 20,000 per annum.

We note that the Houston Panel recommended consideration of a further increase to 27,000 visas within 5 years.¹ The Society strongly supports all increases to the number of visas granted, and we look forward to discussing the addition of 7,000 more places in the near future.

The Society also supports the ongoing provision of government-funded settlement services under the Humanitarian Settlement Strategy and Settlement Grants Program. The Society services that receive funding under these schemes report many significant and positive outcomes for new arrivals.

Cost-Shifting to a Desperate Community

The Society is deeply disappointed to learn that 500 of 20,000 places to which the government has committed will form part of the recently announced private sponsorship pilot program for resettlement. The program was originally designed with the aim of Australia taking on *more* refugees without incurring significant upfront financial cost to the government.² We are saddened by this policy shift, which sees the government escaping its financial responsibilities by encouraging desperate people to effectively pay for their families' lives. We note the Refugee Council of Australia's concern with this issue.³ We believe that any community sponsorship program should create places above and beyond the 20,000 quota.

We foresee that communities most in need of helping loved ones escape may be the *least* capable of paying the very substantial fees of up to \$30,000 to bring their family members to Australia. We cannot support the program in its current form; providing services only to those with money.

The Society also sees it as crucial that the community sponsorship program have a high level of oversight and monitoring, to ensure that the program doesn't inadvertently create sub-standard settlement outcomes for people arriving under the program.

¹ Angus Houston, Paris Aristotle, Michael L'Estrange, *Report of the Expert Panel on Asylum Seekers* (August 2012) 14.

² Department of Immigration and Citizenship, *Discussion Paper: Proposed Pilot of a Private/Community Refugee Sponsorship Program* (20 June 2012) 4: "Crucially, a private/community sponsorship program may provide an opportunity to **increase the size of the Humanitarian Program** without significantly impacting on the Budget" (emphasis added).

³ See refugeecouncil.org.au/n/mr/121215_Sponsor.pdf.

Delink the offshore & onshore humanitarian intake quotas

The Society is concerned that, while the increase in numbers doubles the UNHCR refugee intake (from 6,000 to 12,000), it still leaves two other categories of visa applicants – offshore Special Humanitarian Program applicants, and onshore asylum seekers (IMAs) – competing for a similar number of visas (8,000 instead of 7,750 previously). The Information Paper states that keeping these numbers linked “has enabled successive governments to plan and budget for government-funded settlement services that properly meet the needs of humanitarian entrants.”⁴

There is huge competition for these visas. With the current high numbers of people arriving on boats, and in a system where the number of visas granted to these onshore applicants *reduces* the number of visas available to be granted to offshore applicants, keeping the numbers linked significantly disadvantages offshore SHP applicants.

Changes to the Family Reunion Concessions

The Society strongly opposes the removal of family reunification rights for post-August 2012 asylum seekers arriving by boat. The presence of one’s family has significant impacts on successful settlement of refugees, and, as highlighted in the Refugee Council of Australia’s Intake Submission last year, the converse is also true.⁵ Our volunteers have told us about the anguish suffered by those (generally men) who have been in long-term detention, and are now in the Australian community, but have wives and children they have had to leave behind in dangerous situations overseas: we have heard first-hand of the emotional strain that these terrible experiences have on these refugees in our community.

This policy change will make reunification virtually impossible, due to the cost associated with applying for migrant visas: this will vastly decrease the likelihood of vulnerable women and children being reunited with their husbands and fathers in Australia. This is a cruel punishment, considering the minimal numbers of boat arrivals in the context of the global figures quoted in the Information Paper.⁶ Allowing families entry significantly improves mental health outcomes, and contributes hugely to refugees’ integration into the community. Moreover, without correcting this denial of family unity there is an increased risk of family members attempting further dangerous sea voyages to be reunited with their loved ones – the opposite of what was intended by this policy change.

Mandatory Detention Must End

The Society continues to strongly oppose the mandatory and indefinite detention of any person who arrives in Australia seeking our protection. As we have argued elsewhere,⁷ the current offshore and onshore detention network contravenes the human rights and dignity of asylum seekers.

There is no doubt of the severe mental health toll of mandatory indefinite detention. Our volunteers have witnessed the terrible impact that detention can have on people who are seeking asylum: we have told just a few of the stories in a recent submission to the Parliamentary Joint

⁴ Department of Immigration and Citizenship, above n 2, 9.

⁵ Refugee Council of Australia, *Australia’s Refugee and Humanitarian Program 2012 – 2013* (January 2013) 4.

⁶ Department of Immigration and Citizenship, above n 2, 1.

⁷ For example, John Falzon, *Submission on the Migration Amendment (Unauthorised Maritime Arrivals and Other Measures) Bill* (December 2012).

Committee on Human Rights.⁸ Suicide rates are appallingly high in detention, and the poor treatment received by people in detention means that when refugees are found to be genuine their resettlement into the Australian community is so much harder. We also note that the issue of guardianship of children in detention appears to remain unresolved. Moreover, detention potentially exposes Australia to future legal class actions for compensation for pain and trauma caused negligently, and illegally. This shameful situation is exacerbated by the huge cost of detention; money that the Society believes should be spent on building a regional framework, processing claims quickly, and settling refugees in Australia.

The Society recommends processing of refugee claims be made by Australia, within its borders, and where asylum seekers do not experience mandatory and indefinite detention.

The government's current "no advantage" policy, a distortion of the Houston Panel's original recommendations, will also compound mental health issues and distress for asylum seekers who will now be kept in detention for longer than necessary. The policy also seems discriminatory, as it only applies to irregular maritime arrivals and not to plane arrivals.

Regional Processing, and Regional Framework

The Society strongly supports the Regional Cooperation Framework and Regional Support Office discussed in the Information Paper.⁹ We hope that this will be a genuine sharing of burden, with Australia providing moral and economic leadership, rather than an exercise in shifting responsibility to our near neighbours who may be less well-resourced. As such, any future regional processing must be discussed within the context of capacity, resources and wealth of each nation included in the processing plan, and should not happen until all structures for processing applications are in place, including adequate shelter, access to health services, legal services, education and work.

In that vein, the Society strongly believes that regional processing in Nauru and Manus Island must end as soon as possible.

Although Australia's Humanitarian Program is severely flawed, there is also great potential: we are a fortunate country with enormous wealth, both economic and of spirit. Australia has a much greater capacity to help those fleeing persecution than our current policies reflect, and the Society is ready to play its part in transforming our treatment of those seeking asylum, from being punitive and politically expedient, to reflecting Australia's values: being compassionate, humanitarian, and just.

Dr John Falzon
Chief Executive Officer

⁸ John Falzon, *Contribution to the public hearing on the Parliamentary Joint Committee on Human Rights examination of the Migration (Regional Processing) package of legislation* (December 2012) (at vinnies.org.au/submissions-national?link=251).

⁹ Department of Immigration and Citizenship, above n 2, 9.