



St Vincent de Paul Society
NATIONAL COUNCIL *good works*

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Refugee Council of Australia

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2016-17 Refugee and Humanitarian Program

The St Vincent de Paul Society (the Society) is a respected lay Catholic charitable organisation operating in 149 countries around the world. In Australia, we operate in every state and territory, with more than 65,000 members, volunteers, and employees. Our people are deeply committed to social assistance and social justice, and we run a wide variety of programs around Australia. Our work seeks to provide help for those who are marginalised by structures of exclusion and injustice, and our programs target (among other groups) people living with mental illness, homeless people, young people, migrants and refugees, and people experiencing severe poverty.

In preparing its annual intake submission, the Refugee Council of Australia has asked for input from the community on a number of important areas. Our response draws heavily on the Society's newly-created Policy and Position Paper for People Seeking Asylum, which was prepared following lengthy internal consultation.¹ We also draw the Council's attention to the newly-formed Catholic Alliance for People Seeking Asylum (CAPSA), of which the Society is a member, and its work advocating for fairer policy responses to people seeking our protection.

1. International Refugee Needs

The needs of refugees internationally cannot be understated, and the Society recognises that a decent approach to people seeking asylum depends on international cooperation. We therefore encourage the Australian Government to work with other nations to support more effectively the efforts of the countries to which people first flee when they leave their own lands. In particular, the Society supports efforts to establish such responses in transit countries, but only if those states can provide both robust legal and practical protection to people seeking asylum and humane living conditions and work rights.²

2. Australia's Refugee and Humanitarian Program

Meeting People at our Borders

People coming to Australia to seek our protection have a legal right to do so under international law, and there is no evidence that these people compromise our border security. Therefore, the Society advocates that all procedures that bear on the detection, surveillance, interception and reception of vessels suspected to carry people seeking asylum must be consistent with Australia's moral and legal

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[https://www.vinnies.org.au/page/Publications/National/Articles Reports Speeches/National Policy on Refugees/](https://www.vinnies.org.au/page/Publications/National/Articles%20Reports%20Speeches/National%20Policy%20on%20Refugees/).

² <http://capsa.org.au/about-us/our-principles/>.

obligations. Those seeking asylum inside Australia's territorial waters should be escorted for processing in ways that comply with protocols and ensure their safety.

Numbers

Australia's Refugee and Humanitarian program assisted approximately 13,750 people from 2013-2014.³ This represents a significant decrease from the previous year,⁴ where the program was planned to cater for at least 20,000 refugees. The Society opposed this one third reduction of the program at the time, and remains supportive of the return to the 20,000 planning benchmark for future years.

The experience of the Society as a grassroots organisation is that those who are from refugee backgrounds are hardworking, and determined to provide for themselves: evidence suggests that the economic contributions of the families of those who have newly come to Australia is *greater* than 'native' Australians.⁵ It is a great shame to see the reduction of resettlement numbers at a time when the global need has increased. Therefore, the Society encourages the government to honour the expansion of resettlement numbers back to its previous levels in order to help as many people as possible.

Housing People Seeking Asylum

The Society recognises Australia's right to monitor those entering its territory, and that there may be a need to briefly detain people in order to assess whether they pose a risk to the Australian community. However, there is significant evidence that prolonged or indefinite detention constitutes a form of traumatic punishment, as well as being highly economically inefficient.

When housing people seeking asylum, we therefore call for the location of accommodation to be on Australian territory, and not remote from community support or legal resources. We also demand that any time in *detention* be strictly limited to that required to assess people's health and security status. Unless evidence is presented in particular cases to support continuing detention, people seeking asylum in Australia should not be detained further and then only as a last resort.

Further, the Society is aware of the conflict of interest that arises when the Minister for Immigration is also the guardian of an unaccompanied child being held in detention. The Society therefore advocates for the appointment of an independent guardian for unaccompanied children seeking asylum in

³ Janet Phillips, 'Australia's Humanitarian Program: A Quick Guide to the Statistics Since 1947' (Research Paper, Parliamentary Library, 7 January 2015) 2.

⁴ See, eg, St Vincent de Paul, Input to RCOA's Annual Intake Consultations 2013, at [vinnies.org.au/icms/docs/171541 Input to Annual Intake Submission and Consultations.pdf](http://vinnies.org.au/icms/docs/171541%20Input%20to%20Annual%20Intake%20Submission%20and%20Consultations.pdf).

⁵ See, for example, Refugee Council of Australia, literature review: https://www.refugeecouncil.org.au/docs/resources/Contributions_of_refugees.pdf.

Australia. The Society is also aligned with CAPSA in its strong belief that detention must provide appropriate provision for children,⁶ and that children seeking asylum in Australia and their families must also receive priority in release from detention. Finally, the Society supports legal protection, rather than penalisation, of professionals who report child abuse in detention.

3. Post-arrival Settlement Support

The legal process

The Society has had a long history of being involved in providing post-settlement support to migrants and refugees who arrive on Australian shores.⁷ For example, in 1910, the Victorian branch of the Society reported that our volunteers were meeting immigrants *as they stepped off the boats* from England.⁸ Efforts were then expanded after the Second World War, when the Society became heavily involved with efforts to help resettle post-war migrants of all ethnic and religious backgrounds that were flowing into the country at the time.⁹ This involvement has continued today, as the Society runs a wide range of programmes for refugees, including tutoring, settlement assistance of all varieties, material aid, housing, white goods, legal assistance, visits to detention centres, and much more.

Throughout its long history in providing settlement support for refugees and migrants, the Society has witnessed first-hand the cumulative damage to self-confidence and mental health that they suffer due to the uncertainties regarding their future. Delays in decision-making, as well as the denial of the right to and dignity of paid work, only increase their stress and anxiety, leading to ongoing mental illness, compounded trauma, and further social isolation and marginalisation.

For these reasons, the Society supports the following post-arrival policies:

- People's refugee status determination be resolved in a just manner, including appeal rights, as speedily as possible.
- People who cannot be returned to their country of origin because of fear for their safety or for reason of statelessness (even if not found under domestic law to be refugees) should be accepted

⁶ <http://capsa.org.au/about-us/our-principles/>

⁷ See Rik Sutherland, 'St Vincent de Paul's History of Work with Migrants and Refugees' (Presentation given at the *Fourth National Conference on the Pastoral Care of Migrant and Refugees*, St. Vincent de Paul National Council, 1 October 2014)

<https://www.vinnies.org.au/icms_docs/196993_The_history_of_the_Society_working_with_migrants_and_refugees.pdf>.

⁸ Ibid.

⁹ Ibid.

to live in the Australian community for as long as the reasons preventing their return prevail (non-refoulement).¹⁰

Building new communities

It is the core of Catholic Social Teaching, as well as a number of international conventions, that no one should be denied the conditions necessary for their flourishing.¹¹ Access to food, stable shelter, education, work opportunities and family ties are all essential conditions for people to be able to live with dignity.¹² Indeed, the Society constantly witnesses the healing impacts on the lives of people who have been granted asylum once they are able to re-unite with their families, to obtain meaningful work, and feel included in our multicultural society.

In the post-arrival environment, refugees and asylum seekers can be supported by a range of policies. In furthering this aim, the Society advocates that Australian permanent residents be given the opportunity to sponsor people for resettlement, in addition to any intake quotas, provided they accept responsibility for the resettlement. This will help build communities, and allow more people entry. For those who are here, we ask that the newly arrived be provided with free access to cultural orientation and to English language classes sufficient in terms for their individual backgrounds to enable them to become productive members of the Australian community, and *immediate* access to stable accommodation. In building community, we also believe that it is essential that resettlement for people seeking asylum who are found to be refugees be permanent, ensuring emotional certainty, and the practical ability to make life plans, rather than under any kind of temporary protection visa.

4. Australia's Policy Towards Asylum Seekers

In addition to the above points relevant to refugees and those seeking our protection, the Society has consistently strongly advocated that our policies towards asylum seekers who come to Australia are unacceptable. Specifically, we strongly oppose deporting people who have indicated a need for protection, whether or not using an officially approved application process, but whose case for asylum has not yet been determined. This is particularly the case where the person is deported to a country that is reasonably likely not to be able to offer them adequate support or protection. In line with this, we also strongly oppose turning back any boats carrying people seeking Australia's protection.

The Society has also witnessed the cruel outcomes for people seeking asylum in Australia that stem from public misinformation and vilification. Therefore, the Society advocates that the Government promote access to resources which will help the Australian community better understand the true

¹⁰ <http://capsa.org.au/about-us/our-principles/>

¹¹ <http://capsa.org.au/about-us/our-stance/support-for-asylum-seekers-living-in-the-community/>

¹² <http://capsa.org.au/about-us/our-principles/>

circumstances and human rights of people seeking asylum; and focus on the positive social, cultural and economic contributions subsequently made by people who come here as asylum seekers and are welcomed into the Australian community.