



St Vincent de Paul Society  
NATIONAL COUNCIL of AUSTRALIA Inc. *good works*

# LET'S BUILD A FAIRER AUSTRALIA! PEOPLE SEEKING ASYLUM IN AUSTRALIA

## Who we are

St Vincent de Paul Society is a lay Catholic charity with over 45,000 members and volunteers and 3,000 employees operating in Australia. Founded in poverty and plague-stricken Paris in the 19th century, we have been in Australia for almost 170 years. Our people are locals who help all people in need in their communities. We are a registered charity, overseen by the Australian Charities and Not-for-profits Commission (ACNC).

Our work is informed by the teachings of our founder, Frederic Ozanam. Our Mission and Values draw on Catholic Social Teaching principles and we follow the Society's Rule which sets our international charter.

We strive for a fairer Australia for all.

## What we do

Through generous donations, sales through our national retail network ('Vinnies shops'), and some government funding, the Society distributes over \$50 million each year in emergency relief. This is done by our dedicated members and through our conferences and centres located in communities. Additionally, we provide short term, emergency and longer-term community housing options, meals, clothing, and support services.

While providing material support to people, we also lend an ear and connect people with other networks and services, depending on their needs. Our aim is to empower people to help them achieve their full potential.

*We aspire to live the gospel message by serving Christ in the poor with love, respect, justice, hope and joy, and by working to shape a more just and compassionate society*

The Society's National Council approves our policy positions. Our advocacy is informed by the experiences of those we assist and by our members, through the National Council's Social Justice Advisory Committee and the Vincentian Refugee Network.

We advocate for policies and funding that improve people's lives. We do so in a way that aligns with our charitable purpose and is politically non-partisan.

## A Voice for the Voiceless

We believe in human dignity, the common good and in our responsibility for each other. We strive for social conditions that ensure everyone can realise their full potential.

Our belief in solidarity helps us to see the 'other' as our neighbour, a helper, a sharer on a par with ourselves.

We believe in subsidiarity, or respect for personal dignity, and the importance of those most affected by a decision or policy having input to it.

We respect Australia's international human rights commitments, including the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and Australia's support for the United Nations Declaration on the Rights of Indigenous Persons.

Our policy positions are qualified by the experiences of those we assist and our members, and by Australia's extensive evidence-base in social policy and various research projects commissioned by the Society.



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## Our work with others

The Society engages with other church-based charities and not-for-profit organisations in the delivery of assistance to people in need and our policy positions generally align with them. These organisations include Catholic Social Services Australia, National Shelter Australia, the ACTU, Everybody's Home, ACOSS, Refugee Council of Australia, Jesuit Refugee Services and the Catholic Alliance for People Seeking Asylum.

## Why it's important

Australia is a wealthy country but has a shortage of affordable housing, growing inequality, increasingly insecure work and wages that have not kept up with inflation. Households that rely on income support are struggling to survive. One-in-six children are living in poverty, and great disadvantage persists in a number of mainly regional and remote communities.

Now, more than ever, government policy and fiscal management need to be robust, evidence based and directed to areas of greatest need.

Our 2022 Federal Election Statement, *A Fairer Australia*, has been updated to cover social justice priorities related to (1) Australia's First Nations Peoples, (2) People Seeking Asylum, (3) Secure Work, (4) Combatting Homelessness and Increasing Affordable Housing, (5) Income Support, Poverty and Debt, and (6) A Fairer Tax and Welfare System. The updated booklet, *Let's Build a Fairer Australia!* (October 2023) is available on our website.

This overview summarises our advocacy position with respect to People Seeking Asylum in Australia.

More information is also available on our website, as well as a *Report Card* that tracks the Australian Government's progress against our social justice priorities.

Our service to others, and advocacy on their behalf, is inspired by the words of St Vincent de Paul:

*Deal with the most urgent needs... Teach reading and writing, educate with the aim of giving each the means of self-support. Intervene with authorities to reform structures... there is no charity without justice.*

*St Vincent de Paul Society National Council of Australia acknowledges the traditional custodians of country throughout Australia; recognises their continuing connection to land, waters and culture and community; and pays its respect to elders past, present and emerging.*

# LET'S BUILD A FAIRER AUSTRALIA!

## PEOPLE SEEKING ASYLUM IN AUSTRALIA

JANUARY 2024



### Summary

Since the start of his pontificate, Pope Francis has expressed particular concern for people fleeing war and persecution. He continues to repeatedly call on the global community to welcome and protect them.

In the last decade, Australia has failed in its legal and moral duty to welcome or protect people who have sought asylum in our country, arriving here by boat, despite their being entitled to seek protection under international law.

About 30,000 people who arrived in Australia by boat have been subject to special, unfair treatment in their refugee (fast track) assessment process. Even if found to be refugees, they were only granted temporary visas, while of the thousands still involved in the process, many are suffering destitution, with no access to a social safety net when they are unable to work.

Several thousand others were sent to Papua New Guinea (PNG) and Nauru for processing.

Many are held in arbitrary, indefinite detention in breach of our obligations under the International Covenant on Civil and Political Rights and the Convention Relating to the Status of Refugees.

Detention should only be used when a person poses an unacceptable risk to the community and that risk cannot be addressed in a less restrictive way. Even then, detention must be time-limited and proportionate.

In recent years, Australia also reduced its annual humanitarian intake of refugees, although in 2022 the Morrison Government agreed to take more Afghan refugees in addition to that year's intake cap.

The Society supports

- a path to permanent protection for nearly 20,000 refugees on Temporary Protection Visas (TPVs) and Safe Haven Enterprise Visas (SHEVs) and cancelling Ministerial Direction 80 which prevented these people seeking family reunion

- the movement of people on Nauru to resettlement in a safe third country or temporarily to Australia
- reduction in the number of people in Australian immigration detention from 1,400 in May 2022 to 1,100 in May 2023 largely through increased and more sympathetic Ministerial intervention, and
- an increase in Australia's annual humanitarian intake to 20,000.

### Why change is needed

There is still so much more to be done, as a matter of urgency, to remove the injustices being inflicted by the Australian Government on vulnerable people for more than a decade.

In August 2022, the Immigration Minister stated in Parliament that he was determined to implement all aspects of the Labor Party's 2021 National Platform as it related to refugees and asylum seekers.

So, we look forward to the Australian Government quickly implementing the following elements of the most recent 2023 Labor platform:

- replacing the fast track process with a fairer resolution of the backlog of cases through robust, efficient and transparent assessment processes, including access to review, consideration of additional material and independent advice
- people seeking asylum having means-tested access to appropriate support services, including income, crisis housing, healthcare, mental health, community and education support during the assessment of the claim for protection, in addition to work rights and study rights
- the inclusion of refugees in Indonesia within the increased humanitarian intake, while working across the region to support and resettle refugees
- the obligation to provide appropriate health, security and welfare services to people seeking asylum (including all those held

offshore) with the highest priority given to the humane, durable and timely resettlement of refugees subject to third country resettlement agreements

- an improved approach to immigration detention, where indefinite or otherwise arbitrary detention is not acceptable
- enshrining the “90-day rule” into law with respect to immigration detention being for no more than 90 days
- including the community sponsorship program in complementary resettlement and specifying that this intake should be in addition to the humanitarian program and progressively increased to 10,000 places per year
- the progressive increase of Australia’s annual humanitarian intake to 27,000 people
- the appointment of a Special Envoy for Refugee and Asylum Seeker issues, and
- the conduct of a parliamentary inquiry into immigration detention.

The Society calls for:

- an adequate safety net for all asylum seekers and a fairer process for all affected by the unjust fast track process
- resettlement of all people still subject to offshore processing and people held in PNG immediately moved to Australia while they await resettlement
- legislation to make immigration detention a last resort, limited to a maximum of 90 days, and improvements to the living conditions of those that must be detained for security reasons
- increases to the annual humanitarian intake to 27,000 by 2025-26, increases to the community support program to 10,000 (making it additional), acceptance of refugees in South-East Asian countries within these increased intakes and a reformed family reunion process, and
- a parliamentary inquiry into immigration detention both offshore and onshore starting in 2023.

## An adequate safety net

The Status Resolution Support Services (SRSS) is one of the main forms of support for people while waiting to resolve their immigration status.

The SRSS has experienced an 85 per cent cut in funding over five years. Restricted eligibility criteria have also seen recipient numbers drop from around 13,000 to under 2,000 now. Almost four in five of these people are at risk of homelessness and only one in five is actually ‘job ready’, although much higher numbers are deemed so. The result is a shift in welfare costs and responsibilities from federal to state agencies and community-based organisations, at an estimated cost of between \$80 million to \$120 million per year.

While one-off emergency relief payments are available, they do little to prevent people from living in over-crowded conditions, becoming homeless or falling into destitution. During the pandemic, the homelessness rate for people seeking asylum was estimated to increase to over 12 per cent, affecting 14,000 people at an additional cost of \$181 million in health, justice, social and other services. Almost 90 per cent of people seeking asylum and requiring assistance from agencies reported difficulty with paying rent. Over 70 per cent went without meals and around 75 per cent had difficulty paying their utility bills. If people seeking asylum are to live with dignity while awaiting decisions on their protection application, they must be able to access SRSS and have a valid bridging visa with associated work and study rights that are linked to Medicare. The bridging renewal process should also be automated.

## Papua New Guinea

It has been ten years since boat arrivals were shifted from Christmas Island (Australian Territory) to Manus Island (PNG). The Albanese Government now argues that Australia has no responsibility to the people left in PNG and that, as a result of a confidential agreement with the previous Australian Government, responsibility now rests with PNG.

Australia must help facilitate the removal of these people to Australia, New Zealand, Canada, or the United States. For those in PNG suffering from severe long-term psychological damage and health problems, they face the prospect of early deaths. All those still should be brought to Australia and provided the services and care they require, while they await permanent resettlement.

Up to 50 people in PNG have no third-party resettlement options and live without legislative protections, documentation, or official recognition. Many left in PNG are now in marital relationships or similar. This might make staying in PNG easier for them, but it complicates the resettlement process

for those entitled to it. The Australian Government must help facilitate resettlement of all these people, including partners, to eligible third-party countries, or to Australia.

The people left in PNG have been abandoned by successive Australian Governments. Yet Australian policies forced all these people to Manus Island. It is well overdue for the Australian Government to resolve this issue once and for all.

## **The current management regime is cruel and costly. It is time to end it.**

If the status quo remains, the annual cost, per person to the Australian Government is:

- \$350 million to keep an empty detention centre open in Nauru
- a confidential amount to keep about 70 people in Papua New Guinea, at a cost of almost \$3.4M for each person held offshore (in 2021)
- \$362,000 to hold an individual in detention in Australia, and
- only \$4,429 for an asylum seeker to live in the community on a bridging visa while their claim is processed.

The current programs and processes operating in Australia benefit few people and have high administrative overheads. Successive cuts to services have undermined people's efforts to resolve their immigration status. It is time to resolve this unacceptable situation.

Finally, a recent United Nations Committee Against Torture report urges changes to Australian refugee policy. It lists concerns about the ill-treatment of people held in immigration detention centres and subject to Australia's offshore processing and turnback policies. The report highlights breaches of international law in Australia's treatment of refugees. It concludes that Australia maintains legal responsibility because people in offshore detention are under Australia's effective control as Australia transferred them "to centres run with its financial aid and with the involvement of private contractors of its choice." It urged the Australian Government to end offshore processing and transfer all people to Australia.