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Humanitarian Policy Branch
Department of Immigration and Border Protection
Via email: humanitarian.policy@border.gov.au

Settlement Council of Australia's Submission to Australia's Humanitarian Programme 2017-18

The Settlement Council of Australia (SCoA) welcomes the opportunity to provide input into Australia's Humanitarian Programme 2017-18. The Humanitarian Programme demonstrates and implements Australia's commitment to the protection of refugees and this commitment is increasingly crucial in light of the current global humanitarian crisis.

SCoA represents over 80 agencies in the settlement sector, which comprise the vast majority of agencies providing settlement support to recently arrived migrants, including those from a refugee background, across Australia. Our members work directly with a wide range of new arrivals from diverse backgrounds, as well as the mainstream Australian community and various government and private stakeholders. The mission of the sector is to provide effective and efficient settlement services which assist newly arrived migrants to achieve the best possible settlement outcomes.

SCoA's consultation with members and our research over a number of years have informed the preparation of this submission.

1. What should Australia's priorities be for accepting refugees and humanitarian entrants?

A. SCoA recommends the Humanitarian Programme intake be increased due to the global humanitarian crisis and increased demand for protection.

SCoA welcomes the increase of Australia's Humanitarian Programme to 16,250 places for the current financial year, as well as the planned increase to 18,750 by 2019-20. The Government's 2015 announcement of 12,000 additional permanent places for Syrian and Iraqi refugees was also a welcomed commitment to addressing a very significant humanitarian crisis. SCoA notes that this additional quota has now been fulfilled and marks a true achievement in Australia's humanitarian policy.

SCoA celebrates the success of the Settlement Sector in assisting all humanitarian entrants as they establish their new lives in Australia. The Settlement Sector in Australia has developed nuanced expertise assisting humanitarian entrants and has demonstrated its capacity, subject to appropriate funding, to assist an increase in numbers, as occurred with the special Syrian and Iraqi intake.

With that in mind, SCoA submits that Australia is in the enviable position of being able to support an even larger number of humanitarian entrants, in response to the current global refugee

resettlement demand. An increase in the Humanitarian Programme would provide greater protection to those fleeing their homes and countries due to ongoing instability.

B. SCoA recommends the composition of the Humanitarian Programme be informed by UNHCR's data on global resettlement need with priority given to those most vulnerable, family reunion demand from those within Australia and Australia's capacity to assist.

It is acknowledged that there are increasingly large numbers of people in need of resettlement globally, and only a limited number of places available in Australia. It is vital, therefore, that the composition of Australia's Humanitarian Programme should be responsive to refugee situations around the world, and informed via consultation with UNHCR. Considerations for prioritising need include, but are not limited to, numbers in asylum, intake by other resettlement countries, access to human rights in country of asylum, protraction of situation, and access to other durable solutions. This should be balanced with Australia's capacity to resettle refugees and demand from people already settled in Australia to reunite with family members.

The current global media spotlight on the conflicts in the Middle East has placed the region at the centre of the Humanitarian Programme's discourse. Although the conflict in Syria is cited as the major contributor to the refugee crisis, the continued conflicts and instability in other areas including Burundi, the Central African Republic, Eritrea, the Democratic Republic of the Congo, Somalia, South Sudan, and Iraq, among others, will also continue to be a contributor well into the future.¹ The places in the Humanitarian Programme should be allocated equitably across regions based on determinations of vulnerability in consultation with UNHCR. No region should be given higher priority due to politicisation of the process.

C. SCoA recommends DIBP expedite the processing of family reunion visa applications and that avenues for family reunion be extended to all humanitarian entrants.

Reuniting with family remains a high priority for refugees and asylum seekers. Significant long term personal, social and community benefits are realised through family reunion. Family separation has serious impacts on people's ability to settle in their new communities. Lack of family support amplifies other settlement issues. The mental health impacts from loss of family connection and significantly delaying, or denying, family reunion are well documented.

Our members report that many individuals of the same family have been resettled in different countries, or different locations, and have otherwise been separated during refugee events and the resettlement process. Although SCoA recognises that some avenues for refugees to reunite with family members exist within Australia's Humanitarian Programme, it is recommended greater opportunities for family reunion be explored and that current processing for family reunion applications be expedited to ensure reunification occurs as quickly as possible.

Further, opening potential pathways through the Migration Programme should be explored. Many people from refugee backgrounds seek reunification under the split family provisions because the eligibility and documentation requirements associated with potential options in the Migration Programme are too onerous or impractical for them to meet. If concessions were available for some

¹ UNHCR, 2016. "UNHCR Mid-Year Trends 2016". <http://www.unhcr.org/en-au/statistics/unhcrstats/58aa8f247/mid-year-trends-june-2016.html>

of these requirements, the family stream would become a more viable option for people from refugee backgrounds.

In addition, SCoA urges the government to consider making family reunion options available to all refugees regardless of how they entered Australia, and to explore the expansion of the definition of “family”. The narrow definition does not fit many refugees’ views of who they define as family.

D. SCoA recommends the Community Support Program (CSP) numbers be increased and delinked from the Humanitarian Programme intake.

E. SCoA recommends investigation into the reduction of CSP fees and other expenses and/or offered at varying concession rates for certain cohorts.

Additional avenues for refugees to reunite with their families in Australia are welcome additions to the Humanitarian Programme. The CSP provides one such opportunity, empowering communities to sponsor those in need. SCoA believes the Australian community has the desire and the capacity to help a greater number of refugees through the CSP and therefore recommends increasing places within the CSP. However, it is important that the CSP places are separated from the Humanitarian Programme quota and operate complementary to it.

The Settlement Sector’s capacity to assist the entire Humanitarian Programme quota is well known and is funded through existing government support, without needing to offset any costs through the Community Support Program. The CSP provides an opportunity for Australia to welcome even greater numbers of humanitarian entrants, without adding any additional burden on the budget bottom line.

SCoA’s members have expressed concern however, that the CSP reduces the focus of the Humanitarian Programme on traditional values of refugee protection. The CSP fees and bond obligations are extremely high, excluding many highly vulnerable groups within the Australian community. In this sense the CSP has the potential to be inequitable as it only offers protection to those with links to communities in Australia that can afford it. Further, our members have raised concerns that the program is establishing a trend for the Federal Government to devolve its international obligations and outsource the funding of its international refugee resettlement responsibilities to the community sector.

SCoA believes that the CSP provides a positive foundation for a community-led resettlement programme, separate to the broader Humanitarian Programme. However, care must be taken to strike the correct balance between compassionate humanitarian policy and financial considerations. To this end, SCoA recommends that Australia explore the Canadian model in greater detail to see what lessons can be learned.

2. What can the Australian Government do to encourage involvement to assist humanitarian entrants to secure stable employment and achieve self-sufficiency?

- A. *SCoA recommends that funding for settlement service providers should be sufficiently flexible and adequate, particularly in line with any increases to client numbers, such that settlement service providers are empowered to deliver effective and tailored services to specific individual and community groups without being bound by a set of rigid, pre-determined outcome.***

The focus of the settlement sector and the services it is funded to provide is to assist and empower migrants, and particularly those from a refugee background, as they develop independence and security and are accepted into their community. A key feature of this is to assist in seeking employment and achieving self-sufficiency.

SCoA has been supporting settlement service providers across the country to increase their capacity through a series of workshops exploring the National Settlement Services Outcomes Standards (NSSOS). The NSSOS inform settlement professionals' work and develop a set of best practice guidelines that reflect the quality of work undertaken in providing settlement support.² This will ensure those being supported by settlement service providers receive the highest quality support.

The settlement sector is the best placed to provide these crucial services, given its evolution into a dynamic and responsive industry with crucial cultural and language competencies and an understanding of the nuances of settlement. Over decades of experience, settlement service providers have developed a collective repository of knowledge which must be recognised and celebrated.

As a result, it is essential that funding for settlement services be maintained and increased as program levels increase, and contractual requirements are sufficiently flexible so that service providers can focus on delivering services tailored to the specific needs of the individual. While this is successful for the most part there is room for improvement, both in terms of the requirements imposed on service providers in respect of how they deliver services and also in the management of the entry, and destination of, migrants generally.

Most settlement service providers operate lean and busy agencies, heavily dependent on external funding. They are therefore beholden to policy changes and government decisions that can have a significant, and often immediate, impact on the viability of their businesses.³ Any cuts to funding, for example, will impact viable and critical businesses and lead to poorer settlement outcomes for migrants.

SCoA members suggest that a significant issue in this respect relates to their ability to plan. SCoA members commonly report having insufficient notice of the arrival of new cohorts, and uncertainty around the numbers, characteristics and circumstances of their incoming clients. This prevents them from being able to adequately adapt, and in some cases limits their ability to deal with complex cases with the urgency needed.

² SCoA, 2015. *National Settlement Standards Project*. <http://www.scoa.org.au/announcements/national-settlement-service-standards-project>

³ Roumeliotis, V. and Paschalidis-Chilas, E. (2013), *Settlement and Community Development: Moving and Shaping our Civil Society*, p83.

In some areas agencies are given indicative numbers for the year but receive no arrivals, or all the clients arrive simultaneously. The cyclical nature of dealing with peaks and troughs of client referrals is familiar to agencies, but it does have an impact on their ability to manage the program to achieve the best possible outcomes. A steady flow of arrivals would translate to cost reductions and service improvements but so too would a commitment to a more flexible funding model that ensures adequate funding and enables settlement service providers to focus on delivery of services from a position of financial security and flexibility.

B. SCoA recommends the time-based eligibility for settlement services be reviewed

A resounding theme in SCoA's member consultations is that the time-limits imposed on the provision of funded settlement services is arbitrary and unhelpful. This is less so for the HSS program which, most SCoA members agree, is adequately delivered during the period of initial arrival for the cohort of migrants who need it most, but more of an issue for the SGP, which targets only migrants who have been in Australia for less than five years.

SCoA members witness first-hand that settlement can be a much longer process for some clients, though not for all, and therefore requires a flexible funding model that does not result in clients in need being turned away due to the length of time they have been in Australia. Arguably, this extends not just to first-generation migrants but also their families who, despite being Australian-born in some cases, may still need access to services and programs, but who, due to the timeframe imposed under SGP, are denied such access.⁴

The provision of federally-funded settlement services should therefore be assessed based on needs and not the length of a migrant's stay in Australia.

C. Consideration should be given to enhancing the role of settlement service providers in the delivery of mainstream services to migrants and refugees either by:

- a. Transferring the delivery of these services directly to settlement service providers; or***
- b. Requiring mainstream service providers to demonstrate cultural competencies, meet specific targets relevant to local CALD communities, develop an understanding of the role of settlement service providers and to actively engage with settlement service providers in order to ensure the best outcomes for migrants and refugees.***

The delivery of services to newly arrived migrants requires the involvement of both specific settlement service providers as well as mainstream agencies.

While some mainstream agencies have acknowledged the need to do more to better service migrants from diverse cultural backgrounds, and are open to more collaboration with the settlement sector, it is often noted that many mainstream service providers lack cultural awareness and sensitivity, particularly across a diversity of cultures, and for smaller, newly-emerging cultural groups.⁵

⁴ Hugo, G. (2011), *Economic, Social and Civic Contributions of First and Second Generation Humanitarian Entrants*, p241.

⁵ Schetzer, L. & Henderson, J. (2003), *Public consultations: a project to identify legal needs, pathways and barriers for disadvantaged people in NSW, Access to justice and legal needs* (Vol. 1, Law and Justice Foundation of NSW, Sydney), p61.

This can have negative impacts on the settlement outcomes of migrants, who are excluded, often unintentionally, and therefore miss out on crucial services.⁶

The delivery of services to migrants therefore often results in settlement service providers providing extra assistance and guidance to mainstream agencies, a service which is not resourced through existing funding arrangements, or otherwise assisting those migrants who are not able to be assisted in the mainstream and therefore risk falling through the cracks.

SCoA suggests that the settlement sector has demonstrated innovative and collaborative practices in the areas of employment, housing and others, as highlighted above, which puts it in the ideal position to broaden the scope of services it provides and, should the government desire it, to take over delivery of what have traditionally been seen as mainstream services.

D. Funding should be allocated for SCoA, working collaboratively with key regional settlement service providers, to collect and analyse accurate and timely data and conduct relevant research concerning the settlement outcomes of migrants and refugees, to ensure the most effective and efficient delivery of settlement services.

At present, there are significant limitations on the collection and availability of data, both relating to the migrants themselves and the services provided to them. This includes both large-scale research on settlement outcomes, and also the collection of statistics, experiences and case studies that illustrate the settlement process. The reason for this is largely an absence of available funding,⁷ although SCoA has commenced work designed to facilitate greater sharing between members, including by developing an online Policy Hub and Innovation Centre,⁸ and through the organisation of meetings, forums and conferences such as its highly successful international conference, “Settlement and Citizenship in Civil Society”, held in Melbourne in May 2016.⁹

With only limited further coordination, the sector could enhance data collection and collaboration, enabling it to be better informed and to enjoy the benefits of enhanced cooperation. SCoA therefore recommends that with a more structured approach, and specific government incentives to do so, the sector would welcome the opportunity to share data, case studies and best practices on a more formal basis.

Conclusion

Australia’s Humanitarian Programme is designed to ensure Australia meets its obligations as a global citizen to contribute to the worldwide crisis of a growing refugee population. SCoA submits that the country’s commitment to significant numbers of humanitarian entrants each year is to be commended and demonstrates our compassion as a nation.

SCoA believes, however, that given the success of Australia’s settlement sector in delivering world-leading settlement services for humanitarian entrants, Australia is in an enviable position of being

⁶ Ernst & Young (2015), *Evaluation of the Humanitarian Settlement Services and Complex Case Support programmes*, p57.

⁷ Ibid., p34

⁸ Soon to be launched on SCoA’s website: <http://www.scoa.org.au>

⁹ For a report of the conference, *Settlement and Citizenship in Civil Society*, please see: <http://scoa.org.au/research-and-publications/triennial-and-international-conference-of-the-settlement-council-of-australia-report>.

able to support an even larger number of humanitarian entrants and to restructure its Humanitarian Programme to ensure the most compassionate and effective support possible.

SCoA celebrates the work done by its passionate, hard-working members and commends them and the efforts they make. Further, we acknowledge that the success of the sector relies heavily on ongoing support from government. Most importantly, SCoA pays tribute to the resilient and enthusiastic group of migrants who make Australia home and who are committed to building their lives here.

SCOA thanks the DIBP for considering this submission. If any further information is required please don't hesitate to contact the SCOA National Office on **(02) 6282 8515** or at info@scoa.org.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Dewani Bakkum', with a horizontal line underneath.

Dewani Bakkum
Chair - Settlement Council of Australia