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Select Committee on Temporary Migration  
Department of the Senate  
PO Box 6100  
Canberra ACT 2600

30 July 2020

## **Settlement Council of Australia: Submission to Select Committee on Temporary Migration**

### **Introduction**

The Settlement Council of Australia (SCoA) is grateful for the opportunity to make a submission to the Senate Select Committee on Temporary Migration.

SCoA is the peak body representing the vast majority of settlement agencies across Australia providing direct services and support to people of refugee and migrant backgrounds. This submission has been informed by consultations with our members and other feedback from our members.

Temporary migrants have made significant positive contributions to Australia, both economically and socially.<sup>1</sup> Temporary skilled migrants ensure that skills needs are met when Australian workers are not available to fill demand, so that businesses can continue to be successful.<sup>2</sup> International students and working holiday makers (both of are not considered temporary skilled migrants, but have work rights) similarly contribute significantly to our economy.<sup>3</sup> Importantly, temporary migrants facilitate ongoing cultural exchange, and cultural exchanges are a large part of Australia's identity as a diverse nation.<sup>4</sup> These benefits should be recognised, and should be reflected in both policy and rhetoric around temporary migration.

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<sup>1</sup> Lowy Institute for International Policy (2016), 'Economic migration and Australia in the 21<sup>st</sup> century.' Accessed at: [https://www.lowyinstitute.org/sites/default/files/wright\\_et\\_al\\_economic\\_migration\\_and\\_australia\\_in\\_the\\_21st\\_century\\_0\\_0.pdf](https://www.lowyinstitute.org/sites/default/files/wright_et_al_economic_migration_and_australia_in_the_21st_century_0_0.pdf).

<sup>2</sup> Department of Home Affairs (2019), 'Australia's Migration Trends: 2017-18 Highlights.' Accessed at: <https://www.homeaffairs.gov.au/research-and-stats/files/migration-trends-highlights-2017-18.PDF>

<sup>3</sup> Ibid.

<sup>4</sup> Paula Dunstan, 'Cultural Diversity for Life: A Case Study from Australia,' *Journal of Studies in International Education*, Vol. 7 No. 1, Spring 2003 64-76.

Despite the benefits of temporary migration, it is inevitable that it will be some time before the migration program will resume at its prior scale due to the COVID-19 pandemic. In the intervening period, there is an opportunity reconsider the policy settings applying to temporary migration.

This submissions makes the following key recommendations for addressing challenges facing temporary migrants currently in Australia, and for policy and programming around the migration program in the future:

- *Recommendation 1: Avoid an over-reliance on temporary migrants, and ensure temporary migration is complemented by transparent pathways to permanency.*
- *Recommendation 2: Eligibility for settlement support should be reviewed to ensure temporary migrants are adequately supported in times of difficulty, and to ensure that those who become citizens accrue the benefits of settlement as soon as possible.*
- *Recommendation 3: Make income support available to temporary migrants who remain in Australia during the COVID-19 pandemic.*
- *Recommendation 4: Provide additional support to the settlement sector to support temporary migrants who are facing hardship due to COVID-19.*
- *Recommendation 5: Implement the recommendations of the 'Path to Nowhere Report':<sup>5</sup>*

  - *Develop appropriate visa arrangements for temporary residents who are experiencing violence.*
  - *Revise eligibility requirements to enable more victims of violence to access support.*
  - *Work with service providers to improve access of temporary residents to available support services.*

## **1. Protecting pathways to permanent residency**

In recent years, Australia has seen an increase in temporary migration, including people on student visas, working holiday visas, temporary skilled visas, seasonal workers and New Zealand Citizens.<sup>6</sup>

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<sup>5</sup> AWAVA, 2018, *Path to Nowhere Report: Women on Temporary Visas Experiencing Violence and their Children*, pp. 6-7.

<sup>6</sup> Department of Home Affairs (2019), 'Visa Statistics: Statistical information on visit, study, work, migration and humanitarian visas.' Accessed at: <https://www.homeaffairs.gov.au/research-and-statistics/statistics/visa-statistics/live/migration-program>

While SCoA notes this mirrors a global trend towards temporary migration, we are concerned that an over-reliance on temporary migration will significantly impact settlement prospects. This is because temporary migrants by their very nature do not have the same opportunities to enjoy settlement in Australia and cannot access the same services as permanent migrants.

SCoA therefore urges against forcing migrants into a provisional or temporary status where they should otherwise be given opportunity to settle permanently in Australia. Furthermore, the Productivity Commission has cautioned that the impacts of an over reliance on temporary migration are poorly understood and therefore care must be taken in pursuing this as a major objective of the migration program.<sup>7</sup>

It is also important to protect pathways to permanent residency for temporary migrants who, following the requisite period of time in Australia, have met all visa obligations and contributed to society and for whom permanent settlement is a mutually beneficial option. Existing pathways could be enhanced and expanded to provide logical and suitable pathways for such temporary migrants to permanently settle in Australia. Having transparent pathways to permanency provides the requisite certainty for migrants to establish their new lives in Australia and invest in settlement.

*Recommendation 1: Avoid an over-reliance on temporary migrants, and ensure temporary migration is complemented by transparent pathways to permanency.*

## **2. Access to services and support**

People on temporary visas in Australia face substantial challenges in accessing services and support. Temporary migrants and their dependents are generally ineligible for government income support, English language assistance, employment support, and often Medicare, based on the nature of their visa. Furthermore, most temporary visa holders are also ineligible to access funded support from settlement agencies.

Many temporary migrants will not require any of the above support, as the temporary migration program is specifically designed to attract self-sufficient migrants who contribute more to the economy than they receive. However, as with anyone, temporary migrants may face unanticipated difficulties and find themselves unexpectedly in need of assistance.

When this occurs, settlement services are often approached for assistance. Australia's settlement services are trusted organisations among migrant and refugee communities, and communities expect settlement services to provide assistance to refugees and migrants in who find themselves in need, irrespective of

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<sup>7</sup> Productivity Commission (2016), *Migrant Intake into Australia*, p. 369. Accessed at: <https://www.pc.gov.au/inquiries/completed/migrant-intake/report/migrant-intake-report.pdf>.

visa status. To meet this expectation, our sector regularly goes above and beyond to meet the needs of asylum seekers and temporary migrants who have few sources of support.

However, settlement services are inadequately funded and empowered to support temporary migrants who unexpectedly require assistance. The policy settings around the temporary migration program should acknowledge that it is inevitable that some temporary migrants may find themselves in need of assistance. It is unrealistic to expect that no temporary migrants will ever face obstacles, particularly in a new country. Some examples of issues faced include domestic and family violence, family breakdown, sudden loss of a job, or finding themselves in a situation of worker exploitation. Worker exploitation is a particularly common issue, which in addition to harming temporary migrants, undercuts local workers.<sup>8</sup>

Further, many people on temporary visas eventually go on to become Australian citizens. About half of permanent visa grants in Australia go to people who initially arrived on temporary visas.<sup>9</sup> This means that many residents on a pathway to citizenship have not had the benefit of settlement support. Expanding access to settlement services to temporary migrants (or at least those who are on a pathway to permanency) would ensure the social and economic benefits of settlement can accrue sooner, for both the migrant themselves, and for Australian society as a whole.

Accordingly, we recommend that eligibility for settlement support be reviewed to ensure temporary migrants are adequately supported in times of difficulty, and to ensure that those who become citizens accrue the benefits of settlement as soon as possible.

*Recommendation 2: Eligibility for settlement support should be reviewed to ensure temporary migrants are adequately supported in times of difficulty, and to ensure that those who become citizens accrue the benefits of settlement as soon as possible.*

### **3. Impact of COVID-19 on people on temporary visas**

The lack of safety net for temporary migrants has had significant impacts during the COVID-19 pandemic, with temporary migrants being some of the hardest hit during this time. While many temporary migrants have returned home, and others may still be looking to—there are many who have no ability to return home due to

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<sup>8</sup> Senate Education and Employment References Committee (2016), 'A National Disgrace: The Exploitation of Temporary Work Visa Holders.' Accessed at: [https://www.aph.gov.au/parliamentary\\_business/committees/senate/education\\_and\\_employment/temporary\\_work\\_visa/report](https://www.aph.gov.au/parliamentary_business/committees/senate/education_and_employment/temporary_work_visa/report).

<sup>9</sup> Productivity Commission (2016), *Migrant Intake into Australia*, p. 411. Accessed at: <https://www.pc.gov.au/inquiries/completed/migrant-intake/report/migrant-intake-report.pdf>.

a lack of flights, funds, or their status as asylum seekers. Others may have been in Australia for the long-term and set down roots here.

Temporary migrants are not generally eligible for income support, and are also disproportionately represented in low-skilled workforces that have been heavily impacted by COVID-19. State and territory governments have introduced a range of measures to support people on temporary visas, however the predominant approach of meeting needs through one-off emergency relief funding (ERF) is not designed to provide for day to day needs over a protracted and uncertain period of time. During this challenging and uncertain time, the government must consider providing income support and access to Medicare to temporary visa holders who are either unable to return home, or have established their lives here in Australia.

In times of crisis such as COVID-19, the demands on settlement services also increase, and communities expect settlement services to be able to respond immediately to their needs. Throughout the pandemic, the settlement sector has faced unprecedented demand for assistance from people on temporary visas. The limited programs in place to support people on temporary visas are currently overburdened, and remain a significant challenge for our members. We therefore urge increased funding for the settlement sector during the pandemic to support temporary migrants who remain in Australia and are facing hardship due to COVID-19.

*Recommendation 3: Make income support available to temporary migrants who remain in Australia during the COVID-19 pandemic.*

*Recommendation 4: Provide additional support to the settlement sector to support temporary migrants who are facing hardship due to COVID-19.*

#### **4. Women on temporary visas experiencing domestic and family violence**

Women on temporary visas and their children experiencing domestic and family violence (DFV) are a particularly vulnerable cohort. Several specific barriers for women on temporary visas have been identified and emphasised in prior advocacy on this issue. Common barriers for women on temporary visas include fear of deportation and loss of custody of their children, lack of social networks, limited understanding of their rights, and limited English language skills.<sup>10</sup>

Women on non-partner temporary visas are not eligible for permanent residency, and face multiple significant barriers to accessing essential support for DFV.<sup>11</sup> Though women on temporary partner visas are able to apply for permanent residency (PR) under the Family Violence Provisions of the Migration Act, they may

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<sup>10</sup> Ibid, p.10

<sup>11</sup> Segrave, M, 2017, *Temporary migration and family violence: An analysis of victimisation, vulnerability and support*. Melbourne: School of Social Sciences, Monash University.

not be able to access financial or housing support until their PR is approved.<sup>12</sup> The complexity of the migration system and threats of deportation may however prevent them from initiating the process.

Women on temporary visas also have limited access to other supports, such as income support or other social services, therefore amplifying their dependence on an abusive partner.

Women who face intersectional and compounding issues face added difficulties. For example, women with a disability may face accessibility issues, and women in regional areas may be faced with a lack of adequate support services in the local area.

The *Path to Nowhere* report, which was endorsed by 44 organisations across Australia, comprehensively canvasses issues relating to women on temporary visas who experience domestic and family violence and makes recommendations for addressing this issue.<sup>13</sup> We recommend the implementation of all recommendation made in the *Path to Nowhere* report.

*Recommendation 5: Implement the recommendations of the 'Path to Nowhere Report':<sup>14</sup>*

- a) Develop appropriate visa arrangements for temporary residents who are experiencing violence.*
- b) Revise eligibility requirements to enable more victims of violence to access support.*
- c) Work with service providers to improve access of temporary residents to available support services.*

## **Conclusion**

Temporary migration has long brought economic and social benefits to Australia. Notwithstanding this, caution must be taken to avoid over-reliance on temporary migration. Permanent migration, and clear and transparent pathways to permanency for temporary migrants, facilitate improved settlement outcomes. In addition, temporary migrants should be able to access assistance in exceptional circumstances, as it is inevitable that unexpected difficulties will arise for some migrants. The problematic nature of having no safety net in place has been exacerbated by the COVID-19 pandemic. During this pandemic, additional assistance for temporary migrants who are unable to return home for a variety of reasons is required. Finally, SCoA draws to the committee's attention the ongoing

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<sup>12</sup> Ibid.

<sup>13</sup> Australian Women Against Violence Alliance (2018), *Path to Nowhere Report: Women on Temporary Visas Experiencing Violence and their Children*.

<sup>14</sup> Ibid, p6-7

issues facing women on temporary visas who experience domestic and family violence and reiterates the need to act on recommendations previously put forward.

With the disruption to migration caused by the COVID-19 pandemic, there is an opportunity to reconsider the policy and programming settings around temporary migration. We encourage consideration of the issues raised in this submission in the development of future migration plans as we recover from the pandemic.