



Just In Time

CLRI(NSW) Social Justice Committee

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Refugee Policy: Discouraging People Smugglers or Asylum Seekers?

Introduction:

The core values of CLRI(NSW) serve as a guide to our social relationships and social responsibilities. A key principle within these values is the call for us to be attentive, "Be attentive to the escalation in the use of language which is divisive and based on fear, intolerance and ignorance". It is through this call to be attentive that we are drawn to address the current treatment of refugees in Australia. The language used in the debate about refugees is not one of compassion, but one of fear and persecution.

Labor vs. Coalition: How their refugee policy stacks up.

www.alp.org.au, www.liberal.org.au, www.ajustaustralia.com, www.news.com.au, www.abc.net.au

The Australian Labor Party's National Constitution states that "Labor will ensure that Australia's international obligations towards asylum seekers and refugees are met, and Labor will positively promote the rights of refugees and asylum seekers. Refugees (including those who arrive as asylum seekers, and persons admitted under humanitarian programs), some of whom have suffered torture and trauma before arriving in Australia, will receive appropriate support, including counselling for trauma." Labor indicates that should it gain power at the next election, it plans to abolish the government's temporary protection visas, along with arbitrary time limits which restrict refugees from work rights.

The Liberal Party Constitution makes no mention of refugee or asylum seekers in its constitution. Current Liberal policy surrounding the treatment of asylum seekers is highlighted in the recent refugee exchange program that has been established with the USA. Under this program, 200 Cuban refugees held at Guantanamo Bay will be swapped with 200 refugees held at Nauru each year. Mr Howard believes this will deter people smugglers, commenting that he will not have Australia's very generous humanitarian refugee program distorted by people smugglers. Though the true results of this program are yet to be witnessed, Labor leader Kevin Rudd says that the very idea illogical.

Temporary Protection Visa's (TPV)

www.amnesty.org.au

- § Three year visa granted to refugees classified as 'unauthorised arrivals'.
- § An unauthorised arrival is a refugee who arrives, usually by boat, in Australia without any formal documentation.
- § If while en-route to Australia refugees spend more than 7 days in a 'safe country', as determined by Australia, they are not eligible for a permanent protection visa.
- § After three years TPV holders must prove their continued need for protection in order to receive another three year TPV. In some cases applicants may receive a permanent protection visa (PPV).
- § Effectively, TPVs can be continually rolled over which means that refugees are unable to settle and establish themselves in Australia
- § TPV holders are not entitled to employment assistance or other benefits.
- § TPV holders are not entitled to family reunions, meaning this policy separates families, sometimes for over 6 years.
- § TPV holders are not entitled to travel documents; thereby preventing them from visiting family members in a third safe country should they wish.
- § This policy effectively creates two classes of refugees within Australia, the 'undeserving' who receive TPVs and the deserving who receive PPVs.

Temporary Protection Visas	Permanent Protection Visas
No initial accommodation offered	13 weeks initial accommodation
No bond assistance	Bond assistance
No English language tuition	510 hours English language tuition
Access to special benefit payment only	Immediate access to social security payments
Able to work but no employment assistance	Able to work and receive employment assistance
Able to receive Medicare	Able to receive Medicare

Bridging Visa E

www.ajustaustralia.com

For asylum seekers the difference between possessing the right to work, the right to income support and the right to Medicare services and having none of these rights is 45 days. Since 1997, if an asylum seeker has not applied for a protection visa within 45 days of arriving in the country they are automatically placed on Bridging Visa E (BVE).

BVE holders often live in poverty, homelessness and social isolation because they are not afforded the rights which enable them to fully participate in society. They are unable to work or seek affordable healthcare which can result in family breakdown, depression and the accumulation of debt.

Perhaps the worst element of the BVE is that it is arbitrary and there have been no links established between the implementation of BVE and deterring unauthorised persons from entering Australia. An essential element of a just refugee policy involves the abolition of BVE along with temporary protection visas.

Just Refugee Policy:

www.ajustaustralia.com

A Just Australia has drafted a ten point plan outlining ways Australia can clean up its act and improve our refugee and migration policy.

- 1) No boats are to be turned away without a review of protection needs and humanitarian obligations.
- 2) No excisions of territory, meaning that asylum seekers are to be treated equally no matter where they arrive in the country or where their claim is processed.
- 3) No offshore processing, meaning that no refugees will be diverted to other countries, such as Nauru, but will be brought to the Australian mainland.
- 4) Detention will be viewed as a last resort. Where there is no risk to the Australian public refugees will not be detained. In the process of conducting security and medical checks, children, families and vulnerable persons will be given priority.
- 5) In the event that detention is deemed necessary it must be humane with an emphasis on the well-being of detainees.
- 6) Refugees who are able to live in the community will be able to participate in the workforce and provide for their own financial support.
- 7) When refugee status is granted, protection visas are to be permanent not temporary.
- 8) Throughout the process of applying for refugee status the safety of asylum seekers should be maintained, without risk of being returned to danger.
- 9) No person will be deported to danger. Those who must be deported will be treated with dignity and respect throughout the process.
- 10) Durable solutions with an international focus, meaning policy must be sustainable over the long term and support the actions of the United Nations.

National Character Cancellation Centre?

We know this department exists, as part of the Department of Immigration, to return long term residents of Australia, with criminal records, to the countries from which they have fled. However, we have been unable to access adequate information on this centre. Do you think perhaps the government wants to keep a low profile on this one? Please contact clrinsw@ozemail.com.au if you have any information regarding this centre.



Just in Time is an occasional publication of the Social Justice Committee of CLRI(NSW). Members of the committee are: Jan Barnett rsj, Suzette Clark rsc, Ms Sandie Cornish, Steve Cram cfc, Ms Cecilia Egan, Grace Ellul sm, Ms Jill Finnane, Brian Fitzpatrick osa, Margaret Hinchey rsm, Anne Lane pbvm, Mr Pedro Moreira, Claude Mostowik msc, Kath O'Connor rsj, Libby Rogerson ibvm, Ms Liz Snell, Sharon Price rsm. Please address comments or queries to CLRI(NSW) PO Box 259, Rosebery NSW 1445 or clrinsw@ozemail.com.au