



Submission on the Proposed Community Support Programme

July 2015

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Assistant Secretary
Citizenship and Humanitarian Policy Branch
Department of Immigration and Border Protection
PO Box 25
BELCONNEN ACT 2616

And via email: community.proposal.pilot@immi.gov.au

Dear Sir/Madam,

Discussion Paper: Community Support Programme

Please find enclosed a submission to the Department of Immigration and Border Protection. The submission is in response to the request for stakeholders' viewpoints on the proposed Humanitarian Community Support Programme.

GMH Legal would be pleased to respond to any questions related to our submission. Any correspondence in relation to this matter should be addressed to George Hanna at ghanna@gmhlegal.com or to our postal address.

Yours faithfully

GMH LEGAL



George Hanna
Partner
MARA: 0901797

1. *Should communities in Australia be able to identify people to propose for a humanitarian visa under a Community Support Programme?*

Considering the ostensible success experienced to date with community organisations identifying and proposing individuals for a humanitarian visa pursuant to the Community Proposing Pilot, and given the success of similar community proposed Humanitarian Visa programmes overseas, we would consider it advantageous to Australia's Humanitarian programme to continue the practice in Australia.

Resettlement through the current Community Proposer Pilot of vulnerable people who are in danger in their country of origin has allowed Humanitarian Visa newcomers to be sponsored by a friend or family member residing in Australia, with the presence of family or friends in Australia facilitating the Humanitarian Visa newcomer's integration into Australian society. With the community organisations ensuring that the Humanitarian Visa newcomer is provided with financial and personal settlement support, they are able to ensure that the Humanitarian Visa newcomer is integrated quickly into Australian society.

Meanwhile the family members in Australia who are able to sponsor through the current Community Proposer Pilot are often refugees themselves, and also benefit from the arrival into Australia of the Humanitarian Visa newcomer, since they often remain preoccupied and anxious as long as their relatives have not found safety and stability overseas.

In our experience, when a well-established community organisation proposes an applicant for a humanitarian visa, they:

- (1) are well placed to ensure that the visa applicant is well integrated into the community;
- (2) are able to conduct welfare checks;
- (3) have the resources and backing to ensure that the resident is provided with best possible chance of resettlement; and
- (4) ensure that the sponsors support the refugees by providing accommodation and access to household utilities, are provided with clothing furniture and household goods, are given assistance in selecting a family physician and dentist, ensure that children are enrolled in school and adults in English language training, introducing the refugees to people of similar interests, providing orientation with regards to banking services and transport, and helping them with the search for employment.

2. *What are the key considerations that should determine whether a person or organisation can propose entrants under a Community Support Programme?*

The five Approved Proposing Organisations (“APO’s”) are currently the sole organisations entitled to propose applicants to the DIBP for a humanitarian visa. However we would envisage a Humanitarian Community Support Program in where there exists a wider network of APO’s that would be able to sponsor Humanitarian Visa newcomers into Australia.

These organisations would be existing community organisations that would be able to establish a closer bond with the Humanitarian Visa newcomer; whether they be part of the same community, cultural or faith based group as the newcomer, or fall within the same geographical locality as the newcomer will potentially resettle in. These existing community organisations would ideally be of a sufficient financial standing to ensure that they are able to meet the payment of all administrative charges that they may be required to make such as visa application charges (“VAC’s”), administration fees, refundable bonds, as well as providing for the resettlement and accommodation of the Humanitarian Visa newcomers.

Organisations that have prior experience and knowledge in providing resettlement services for Humanitarian Visa newcomers ought to be more favourably considered when determining whether a community organisation is able to sponsor an individual to ensure that Humanitarian Visa newcomers are given the best possible opportunity to resettle and integrate into Australian society.

Any community organisation ought to be assessed to ensure that their financial and resettlement plans are credible and would lead to the effective resettlement of the Humanitarian visa newcomer in Australia, with each community organisation being able to effectively demonstrate that they are willing and able to commit funds toward the sponsorship.

3. *Is the APO model appropriate for a Community Support Programme?*

The APO Model has served well in testing the demand for a fully-fledged community support programme in Australia. We have found the demand for placements in the Community Proposal Pilot to have increased exponentially over the last 3 years, with particularly strong interest in the program this year.

The demand for placements in the program indicates that there are potentially several thousands of the families, faith communities, ethnic groups, and other community associations that are interested in sponsoring people in a humanitarian situation under the fast tracked processing available under the Community Pilot Program. The demand suggests that the APO model is viable though there needs to be significantly more APO’S and placements made available under a fully-fledged Humanitarian Community Support Programme.

In Canada, there are approximately ninety “Sponsorship Agreement Holders” (“SAH’s”), which perform a similar function to APO’S, in a country with a similar humanitarian intake similar to Australia and a population roughly 1.5 the size. There are also provisions that broaden the potential sponsor base even further, with each SAH having the freedom to authorise a “Constituent Group” to sponsor under its agreement and provide support to the refugees. There are also provisions for groups of five or more Canadian citizens living in the expected community of settlement to collectively arrange for the sponsorship of a refugee living abroad, as well as any

organizations located in the community where the refugees are expected to settle being able to make an organizational commitment to sponsor.

Australia ought to adopt a similar arrangement to the Canadian model and significantly broaden the sponsor base and refugee intake under the proposed programme.

4. *What involvement could UNHCR and the Department of Immigration and Border Protection have in identifying people to propose for a humanitarian visa under a Community Support Programme?*

The UNHCR is mandated to determine and assess refugee status, and can more readily identify those in a humanitarian situation and then refer them to either a panel of community organisations ready and willing to sponsor them as Humanitarian visa entrants into Australia, or to the DIBP for resettlement.

There is no reason why the programme could not be driven in large part by the willingness of sponsorship groups to financially and socially sponsor Humanitarian Visa newcomers, as private sponsorship does not rely on public resources, but rather the commitment and funding of family members, ethnic groups, charitable organizations and other community associations.

5. *A Community Support Programme could be targeted towards applicants with humanitarian claims who are also likely to settle more quickly upon arrival in Australia. What are the advantages and disadvantages of this approach? - This could include applicants below a certain age, or with English language skills, or who have employment skills and qualifications.*

Ensuring that Humanitarian Visa newcomers are likely to settle quickly into Australian society is more a factor of their ability and willingness to be socially included in Australian society, and are able to fully participate in every aspect of Australian life. A Humanitarian Visa newcomer that is left without the adequate social support services to ensure that they are connected to a supportive social network that share common interests would not be able to adequately integrate and settle upon arriving in Australia.

If it was possible to conduct an assessment into the economic benefit that Humanitarian Visa newcomers were to provide to Australia, the factors to consider would not only be their age and occupation, but would also include their relationships with family already resident in Australia, and their value in keeping a family unit together for mutual support and advancement.

Humanitarian Visa newcomers' ability to securing meaningful and sustainable employment is a vital part of successful settlement, with their ability to integrate into Australian society improving if their proposing sponsor is able to assist them in engaging in job searching and

vocational education. A Multicultural Development Association Inc.¹ report surveyed 227 male refugees in Australia and found that a majority of them were willing to take low-skilled work regardless of qualifications, experience, and education.

In the 2011 report by the Department of Immigration and Citizenship titled 'Economic, social and civic contributions of first and second generation humanitarian entrants'² it was uncovered that in early stages of settlement, refugees experience higher unemployment and lower workforce participation than other migrants. Some of the typical barriers that refugees can face in securing work were identified in the report as:

- (1) lack of local workplace knowledge and experience;
- (2) unfamiliarity with recruitment processes (e.g., writing resumes, answering selection criteria, interviews, presentations);
- (3) not having qualifications recognised;
- (4) having to learn a new language;
- (5) low levels of literacy; and
- (6) lack of education.

These typical barriers could be effectively minimised by having a community member or organisation ensuring that a Humanitarian Visa newcomer has received the appropriate orientation, regardless of the age and experience of the Humanitarian Visa newcomer.

According to Refugee Council of Australia, 740,000 refugees and humanitarian migrants have settled in Australia since Federation³. Despite the refugees and humanitarian migrants not being subject to a screening to ensure that they are of a certain ideal age, or have certain level of English language skills, or have employment skills and qualifications, the Refugee Council of Australia has identified the ways in which refugees have already contributed economically to Australia, such as:

- (1) expanding consumer markets for local goods;
- (2) opening new markets;
- (3) bringing in new skills;
- (4) creating employment;
- (5) filling empty employment niches;

¹ Multicultural Development Association Inc. (MDA) (2012). Settlement works snapshot: Employment in early settlement.

² Hugo, Graeme (2011). Economic, social and civic contributions of first and second generation humanitarian entrants. Report for the Department of Immigration and Citizenship

³ Refugee Council of Australia (RCOA) (2010). Economic, civic and social contributions of refugees and humanitarian entrants: A literature review. Report for the Department of Immigration and Citizenship. Canberra: Commonwealth of Australia.

- (6) increasing economies of scale;
- (7) fostering innovation and flexibility;
- (8) supplying labour and stimulating labour markets in ageing populations;
- (9) stimulating economic growth in regional areas;
- (10) investment in housing;
- (11) transformation of urban areas;
- (12) creation of new businesses;
- (13) supply of products;
- (14) provision of new and different skills;
- (15) entrepreneurial activities;
- (16) opening business opportunities with the rest of the world; and
- (17) help to ameliorate critical skills shortages in regional areas.

Humanitarian settlers also have a higher incidence of business ownership than other migrant groups, suggesting a high propensity towards entrepreneurship⁴. Australia has not in the past screened Humanitarian Visa newcomers to ensure that they are within a certain age, or have certain level of English language skills, or have employment skills and qualifications, yet many commentators examining the economic contribution of refugees in Australia all note that entrepreneurship or business ownership to constitute evidence of economic contribution by refugees in Australia⁵. Evidence of this entrepreneurship is also typically given by noting that people from refugee backgrounds constitute a relatively high proportion of Australia's billionaires⁶.

Furthermore, applying a test of a Humanitarian Visa newcomer's age, employment skills, qualifications or English language skills in the flawed notion that it will predetermine their ability to integrate into Australian society will not adequately address the overarching consideration of the refugees' protection needs to ensure that families are kept together. Refugees identified as vulnerable or in urgent need of protection ought to not be in a position to be required to

⁴ Hugo, Graeme (2005). Migration policies in Australia and their impact on development in countries of origin.

⁵ Carrington, Kerry, Alison McIntosh, and Jim Walmsley (Eds) (2007). The social costs and benefits of migration into Australia. Canberra: Commonwealth of Australia, & Hugo, Graeme (2011). Economic, social and civic contributions of first and second generation humanitarian entrants. Report for the Department of Immigration and Citizenship. & O'Dwyer, Monica (2011). Participation and employment: A survey of newly arrived migrants and refugees in Melbourne. Research and Policy Unit, AMES., & Refugee Council of Australia (RCOA) (2010). Economic, civic and social contributions of refugees and humanitarian entrants: A literature review. Report for the Department of Immigration and Citizenship. Canberra: Commonwealth of Australia

⁶ Refugee Council of Australia (RCOA) (2010). Economic, civic and social contributions of refugees and humanitarian entrants: A literature review. Report for the Department of Immigration and Citizenship. Canberra: Commonwealth of Australia

demonstrate their skill set or their English Language skills to ensure their success as Humanitarian Visa entrant into Australia.

6. *What are the concerns and risks with supporting humanitarian entrants who are highly vulnerable, such as women at risk or people subject to torture and trauma overseas, through the Community Support Programme?*

In a humanitarian context, to some degree all applicants who have been subjected to persecution can be classed as being highly vulnerable. Those who have had threats made against their lives, liberty or security, been arbitrarily arrested or suffered torture or cruel, inhuman or degrading treatment, all naturally suffer severe psychological trauma which requires extensive professional treatment.

At least in respect of applicants who have suffered persecution, it would be difficult to draw a line between which applicants are vulnerable people and which are not. It is fair to say that applicants who have suffered persecution may be more vulnerable than applicants who have been substantially discriminated against, but this may not always be the case, as each applicant's mental health is an issue that is very personal and unique to them.

In terms of concerns and risks, it is likely that highly vulnerable people will need significant social assistance upon their arrival. Their integration into Australian society would be smoother if they engage bodies such as the Survivors of Torture and Trauma Assistance and Rehabilitation Services (STTARS) and other such organisations, which have abundant experience in the provision of mental health care and meeting the particular needs of children and other vulnerable individuals such as survivors of torture.

There would be some financial burden imposed on the taxpayer for one on one counselling and other forms of mental health care to address issues of torture and trauma, as well as group counselling for men, women, children and families, to assist them in the healing process. It may also be a challenge for sponsors to assist the refugee with accessing health care services.

It would be better for vulnerable applicants to engage STTARS and other similar organisations which provide a range of therapeutic programs to address the needs of people with a history of psychological and physiological trauma.

It is interesting to note that under the Canadian Private Sponsorship of Refugees Program, those refugees in urgent need of protection or who are in vulnerable circumstances are exempt from the need to demonstrate that they could settle well in Canada. Perhaps a similar exemption can be applied to an Australian Community Support Programme.

7. *What are the concerns and risks with supporting humanitarian entrants who have serious pre-existing medical conditions through a Community Support Programme?*

The *Australian Migration Act 1958* ("the Act") and the *Migration Regulations 1994* ("the Regulations") prescribes the current health criteria for visa applicants and does not admit applicants who suffer from a medical condition which is likely to be a danger to public health or safety. As it stands, the Health Requirement as prescribed in the Act and Regulations seek to protect the Australian community from public health and safety risks, contain public expenditure on health care and community services, and safeguard the access of Australian citizens to health care and community services that are in limited supply.

An applicant for a visa will be deemed 'not to meet' the Health Requirement if they are considered (1) a threat to public health in Australia (such as for having active tuberculosis) or (2) where their disease or condition would result in significant cost to the Australian community or prejudice the access to health care by Australian citizens or permanent residents. Where a split family and humanitarian visa stream visa applicant has a disease or condition that would ordinarily result in significant cost to the Australian community or prejudice the access to health care by Australian citizens or permanent residents, a 'health waiver' may be provided to them to allow them to resettle in Australia. This on par with the Canadian Humanitarian visa criteria, in which Refugee applicants are not refused a Humanitarian Visa based on 'medical inadmissibility' due to excessive demand on Canada's health system. It is our belief that this health waiver for humanitarian visas ought to remain in force for any Humanitarian Visa under the proposed Humanitarian programme.

The tremendous benefit to the Australian community made by persons with a disability and their families was eloquently expressed by Dr Harris Rimmer from Australian Lawyers for Human Rights in her submission to the House of Representatives Committees Joint Standing Committee on Migration. When informed that the Department of Immigration had refused 1,586 visas on 'health grounds', potentially saving the Australian community \$70 million in health and community services costs, Dr Rimmer stated: "...We have to be very cautious of statements like that... it is a very reductionist view of cost. We have no idea what impact those 1,586 people would have made on the Australian economy. It only took one Frank Lowy as a refugee many years ago to make an enormous impact on the Australian economy. It only took one Ron McCallum, who you have taken evidence from, to make an enormous impact on the study of law in Australia. It only took one Graeme Innes, who you also took evidence from, to make a huge contribution to human rights in this country. So I was very nervous about that particular figure, (a) because it is plucked out of the air and (b) because it again does not represent the costs lost to Australia from rejecting that category of people."⁷

There is an immense public benefit gained by Australia in terms of the net benefit of the social and economic contribution made by persons with a disability and their families that outweighs the consideration to examine the impact on public health expenditure when a prospective humanitarian visa applicant may potentially be a financial burden on the taxpayer.

8. *Humanitarian applicants under a Community Support Programme could receive priority processing. What are the advantages and disadvantages of this approach?*

⁷ Dr Susan Harris-Rimmer, Australian Lawyers for Human Rights, Committee Hansard, Canberra, 18 November 2009, p. 2

Unfortunately far too often refugees are forced to languish for long periods of time in situations where they face insecurity and hardship whilst their family members in Australia, who are often refugees themselves, remain preoccupied and anxious as long as their relatives have not found safety and stability. In our experience, the priority given to Humanitarian Visa applications under the Community Pilot Program and the significantly decreased processing time has been a welcome component of the Community Pilot Program.

We have found community sponsors are more than willing to pay the considerable fees related to an application if it means they can get their relatives to Australia in a relatively short period of time. Many sponsors have told us that the financial burden of supporting their relatives overseas, who cannot work after being displaced, is often much greater than the fees involved in the Community Pilot Program.

In addition, there are concerns that under the regular humanitarian visa process applications can take up to 2 years to process, and given the applicant's circumstances are not considered at the time the application was made, the applicants circumstances may have changed to an extent that they may no longer be considered a suitable candidate for the regular humanitarian visa.

Currently, subclass 202 visa applicants face unacceptably long processing delays, with waits of 2 years being the routine. Whilst no immigrant should have to wait so long, in the case of refugees delays can cost lives. Resettlement is first and foremost a humanitarian program intended to provide protection and a durable solution to people forced to flee their home country. A program that asks refugees to wait for years cannot provide protection to refugees whose lives are at imminent risk.

Refugees waiting for private sponsorship may be under threat of deportation back to a situation of persecution. Even if they are not deported, they are living with insecure status, vulnerable to violence and deprivation. Children may have to go without schooling, adults without the right to work, and all without adequate access to health care.

For example, the evidence shows that when privately sponsored refugees arrive in Canada, they may face additional serious challenges to their integration as a result of the long delays. Children who have missed schooling may never be able to fully catch up. Untreated physical ailments may have caused permanent damage to refugee's health. Long separation may have wrenched families so far apart that the gap may never be crossed.

The main disadvantage of priority processing would be, depending on whether a VAC is charged, negative community perceptions that priority is being given to those refugees who have, whether on their own account or through family members, greater financial capacity, rather than being based on fundamental principles of equality. However, it must be recognized that private sponsorship does not rely on public resources, but rather taps the energy and funds of family members, ethnic groups and other community associations.

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9. *A Community Support Programme could target humanitarian applicants who are not linked to a family, organisation or community in Australia — and who are more*

likely to settle in a non-metropolitan location. What are the advantages and disadvantages of this approach?

A refugee having fled their own country of origin because of the terrible situations they have faced are likely to have experienced very traumatic situations of deprivation and violence. The 'UNHCR Global Trends Report 2013' states that there are currently 51.2 million refugees requiring resettlement, competing for 98,400 resettlement placements in 21 countries. Given the statistics, we would assume that the Australian Government would be in a position to find humanitarian visa applicants that would be willing to resettle in non-metropolitan rural Australia.

However we don't believe that the Community Support Programme ought to be used to resettle Humanitarian Visa newcomers that do not have any links to a family or community organisation in non-metropolitan rural Australia, where they are potentially removed from essential support services, adequate employment prospects, and having a close Australian community member and/or Australian organisations provide settlement support services that would enhance the sense of belonging that a newcomer needs to feel to integrate into Australian society.

Many regional areas in Australia have, in recent years, struggled economically with a growing inequality between urban and metropolitan areas, with the rates of poverty worse in rural, regional and remote areas than in capital cities⁸. Long established, non-migrant populations living in rural and regional areas in Australia are often faced with additional problems which often exacerbate poverty, such as reduced access to health services, transport difficulties, inadequate local infrastructure, and vulnerability to drought and other natural hazards.

Submissions to a Senate inquiry into poverty in 2004 highlighted inequality in the distribution of employment opportunities between rural and regional areas compared with metropolitan areas. Problems included the lower share of employment generated by primary industries compared with industries in metropolitan areas, compounded by declining opportunities for unskilled work⁹.

The economic volatility in non-metropolitan rural Australia may lead to a discrepancy between the support services that refugees ought to be afforded and require to successfully integrate into Australian society, to the services they are provided with. The economic volatility, coupled with Humanitarian Visa newcomers often poor command of the English language, their unfamiliarity with the labour market, the non-transferability of qualifications, their unique requirements on the health services should they be suffering from post-traumatic stress disorder, means that they would be placed a special disadvantage should they attempt to resettle in non-metropolitan rural Australia.

Moreover, given the limited employment opportunities in regional areas, Humanitarian Visa newcomers may potentially be more vulnerable to exploitation and/or social exclusion. In this

⁸ Joint report by the National Rural Health Alliance and ACOSS, 'A Snap Shot of Poverty in Rural and Remote Australia' 14 October 2013

⁹ Senate Inquiry into Poverty and Hardship in Australia, 2004, referencing submissions from Mission Australia and Uniting Care

context an influx of migrants who subsequently compete for a small pool of jobs may create community tension and compound regional area disadvantage¹⁰.

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10. *What implications would the use of an AoS have on the successful settlement of humanitarian entrants? How long should the AoS period last?*
11. *What implications would the use of an AoS have on a humanitarian client's proposer in Australia?*
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A broad interpretation of Article 9 of the *International Covenant on Economic, Social and Cultural Rights* that 'The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance' provides at the very least the general moral framework that Australia ought to consider in its domestic policy making. By incorporating an Assurance of Support component into a Humanitarian visa, Australia could be seen to breach its international obligations under the ICESCR by diminishing the social protection Australia currently affords to Humanitarian visa newcomers. By placing lengthy ten year or two year restrictions on accessing social security services on humanitarian visa newcomers, we are disadvantaging those who are already at the greatest social disadvantage.

There is an inherent issue of inequality when an Assurance of Support is required for a Humanitarian visa application, with the introduction of cost factors that outweigh the compassionate considerations involved when considering these application, which on the face of it would seem to be at odds with the basic objectives of the Humanitarian Program. Should there be an Assurance of Support component to the Humanitarian Community Support Programme, it would appear to leave open the possibility for unfair and oppressive outcomes when Australian community members and Australian organisations are pitted against one class that are financially wealthy and have access to funds against another class of the Australian community who cannot afford it, revealing a level of inequality through a reliance on finances.

These matters had been agitated within the Australian community, and it was formerly resolved that an Assurance of Support or a waiting period for social services would not apply to Humanitarian entrants into Australia, or their families that arrived on split family visas. Since 1 January 2012¹¹, it has been the policy of the Department of Families, Housing Community Services and Indigenous Affairs ("FAHCSIA")¹² that the partners of refugee and humanitarian entrants are exempt from the New Arrivals Waiting Period and are eligible to apply for and receive Centrelink payments on arrival and are not required to provide an Assurance of Support.

This qualifying residence exemption and the newly arrived resident's waiting period exemption recognises that Humanitarian Visa holders have not had the same freedom of choice as other migrants when making the decision to come to Australia. Their immediate family members (partners and dependent children) are also exempt and this policy recognises the fact that the

¹⁰ Ho, S. Y. and Henderson, J. (1999) 'Locality and the Variability of Ethnic Employment in Britain', *Journal of Ethnic and Migration Studies* 25(2): 323–33

¹¹ <http://www.immi.gov.au/legislation/amendments/2012/120101/lc01012012-01.htm>

¹² http://guidesacts.fahcsia.gov.au/guides_acts/ssg/ssguide-3/ssguide-3.1/ssguide-3.1.2/ssguide-3.1.2.70.html

sponsored family members of refugees have often been in refugee-like situations themselves, and will face the same sorts of settlement barriers.

In our firms' experience, those community members that are proposing applicants under the current Community Proposer Pilot are often Humanitarian Visa holders themselves, and have sought to reunite their family and friends abroad to resettle in Australia. In our firm's experience in assisting clients under the Community Proposal Pilot, we find that our clients are generally content to pay the considerable Visa Application Charges, as well as the Approved Proposing Organisation fees that are considered a de-facto Visa Application Charge, on the premise that their family members living abroad, displaced from their country of origin and often living in horrific conditions, have their visa applications granted priority processing and are expedited.

Whilst we understand that there may be a potential cost to the community should a Humanitarian Visa applicant subsequently claim social security, the requirements of the assurance of support will undoubtedly have, in some circumstances, the effect of denying family reunion to poorer Australia residents who do not have the financial means to undertake the commitment for 10 years.

We do not believe that it is in the national interest to keep out individuals who could bring skills and qualities because the of an unduly prohibitive Assurance of Support criteria being applied. We also don't believe that there ought to be a reopening of the national debate as to whether there ought to be an Assurance of Support component to a Humanitarian Visa newcomer.

12. *How can people proposed under a Community Support Programme be better assisted into employment?*

New entrants are often impacted by barriers to employment including:

(1) Limited English Proficiency:

During 2004-09, 78% of entrants felt that they had either poor or no English proficiency¹³. Having this in mind, the CSP should assist new entrants in enrolling in English programs such as the Adult Migrant English Program ("AMEP"), which provides flexible arrangements for completion of 510 hours of language lessons. This may involve provision of interpreters that can explain the nature and commitments of the program¹⁴. The lessons can be taken even if the entrant is able to find work.

(2) Difficulties in recognition of skills, qualifications and experience:

Refugees may have previously obtained qualifications in their previous country of inhabitancy. In the process of migration, they may lost documentation or simply cannot access financial resources to have their skills recognised in Australia. The UK's Refugee Education and Training Advisory Service ("RETAS") matched entrants with UK

¹³ DIAC Settlement Reporting for period 1/7/04-30/6/09,

¹⁴ <http://www.education.gov.au/amep>

professionals from the same field to providing mentoring, training and advice on work placement¹⁵.

Subsequent to AMEP, the CSP may assist entrants with enrolment in vocational and educational training ("VET") to ensure the certificate courses they have completed can be transferred to domestic employment opportunities. This could be facilitated through referral services by APOs or SCOs.

(3) Lack of employment services supporting transition:

Many entrants experience challenges with finding work experience placements and applying for work. The CSP could establish a mentoring program (similar to the *Given the Chance* program that is targeted at refugees and humanitarian entrants) that pairs volunteers with new entrants. Each session would involve career advice relating to the job application process and resume writing¹⁶.

13. *What are the implications of applying a VAC to applications under a Community Support Programme?*

Applications currently made under Australian's regular humanitarian visa program do not attract a VAC. The implications of applying a VAC to applications lodged through a community support programme depends on whether the application will be given priority processing.

If such applications are given priority processing, it may break the principle that applications should be processed mainly according to merit, including consideration of the degree of any persecution / discrimination suffered, the extent of the applicant's connection with Australia and the capacity of the Australian community to provide for the permanent settlement of the applicant.

Australia's treatment of asylum seekers should be consistent with the human rights obligations under the UN Refugee Convention and other treaties, and reflect the fundamental humanitarian values that are broadly shared in our society. These obligations include fair and timely processing of claims for protection. There may be negative community perceptions and blowback generated if it appears that those with the capacity to pay are being given preferential treatment to those who do not have the required funds.

14. *How much should a VAC be and why?*

¹⁵ <http://retasleeds.wix.com/retasleeds#!what-we-do/c1jxp>

¹⁶ <http://www.bsl.org.au/services/work-and-learning/given-the-chance/>

Based on our experience, if an application is given priority processing, family members acting as sponsors under the Community Pilot Program are more than willing to pay a significantly higher VAC. The current VAC and APO charges seem to be set at a level that is relatively attractive for sponsoring family members.

If the same VAC is applied in a community support programme, it can be argued that the contribution being made to the consolidated revenue generated should be appropriately acknowledged by decreasing the processing time of the application.

15. *What are the advantages and disadvantages of using a VAC in conjunction with an AOS?*

If the current VAC for the pilot program is to be maintained, having both a considerably expensive VAC as well as an AOS will make any visas issued pursuant to a Humanitarian Community Support Programme the second most expensive Australian visa, with the exception of the Contributory Parent Visa.

As previously mentioned, Australia needs to be attentive to the moral framework established pursuant to its international obligations under Article 9 of the *International Covenant on Economic, Social and Cultural Rights*, and the further practical repercussions in requiring an assurance of support for Humanitarian Visa applicants.

For example, the main barrier to humanitarian entrants finding gainful work is lack of English language skills. If they are forced into the workplace early, they may find themselves working in an occupation that is well below their skill set and ability. It would be more beneficial for the Humanitarian visa newcomers if they were granted social security payments to allow them to concentrate on improving their English language ability and transitioning to Australian society.

16. *What settlement responsibilities should proposers under a Community Support Programme have and what undertakings should proposers be required to give?*

17. *What are the benefits or challenges with having community members and organisations provide settlement support to humanitarian entrants under a Community Support Programme?*

18. *How can entrants under a Community Support Programme be better assisted towards self-sufficiency as soon as possible after their arrival in Australia?*

The key settlement responsibility that proposers under a Community Support Programme ought to have is to ensure that the Humanitarian Visa newcomers are given every possible chance to increase their chance for self-sufficiency in Australia, and ensure they are able to link up into a

secure and supportive social network in their local community, with established Australian individuals and groups that share common interests and a common background.

Proposers under a Community Support Programme will ideally need to ensure that they have developed a network of contacts to ensure that Humanitarian Visa newcomers are given every possible opportunity to socially integrate and be socially included into Australian society. This includes being provided with employment options, language courses, resettlement services, cultural orientation, adequate housing and access to social services to ensure Humanitarian Visa newcomers are able to fully participate in all sectors of Australian society and to establish a stake in Australian society.

Executed properly, the task of ensuring social inclusion and integration of Humanitarian Visa newcomers is a task that the proposer is required to undertake from the first day of arrival of the newcomers and becomes a two way street. The task firstly requires the proposer to ensure that the Humanitarian Visa newcomers feel included and valued in our Australian society, giving them the opportunity to participate fully in society – and secondly requires the adoption of the values and opportunities of Australian society on the part of the Humanitarian Visa newcomers. The success of the integration of the Humanitarian Visa newcomers into Australian society is dependent on the degree to which the newcomers feel included and able to participate in Australia's economic, social, political and cultural life and their own perception of their acceptance in Australian society.

Having Australian community members and Australian organisations provide settlement support services to Humanitarian Visa newcomers can only enhance the sense of belonging that a newcomer feels. The Australian individuals and organisations would be able to respond more rapidly to the needs and requirements of the newcomers, and provide them with the support and services they require from within their own ethnic community. The support of an existing and established community with resources would ensure that they are able to immediately respond to the newcomers needs for housing, schooling and general welfare services to cushion the often difficult resettlement process.

From: [REDACTED]
To: [Community Proposal Pilot](#)
Subject: FW: DRAFT response email - Community Proposal Pilot and proposed Community Support Programme [SEC=UNCLASSIFIED]
Date: Monday, 20 July 2015 2:35:52 PM

UNCLASSIFIED

From: [REDACTED] [[mailto:\[REDACTED\]@actforpeace.org.au](mailto:[REDACTED]@actforpeace.org.au)]
Sent: Friday, 26 June 2015 2:04 PM
To: [REDACTED]; [REDACTED]; Community Proposal Pilot
Cc: [REDACTED]
Subject: Feedback on the DIBP Community Proposal Pilot and proposed Community Support Programme

Dear Team

Thank-you for the invitation to comment on the proposed model for a fully-fledged Community Support Programme for refugees and humanitarian entrants.

Firstly, in our meetings with Mr Marles and many other ALP Senators and ALP backbenchers over the past 2 months, not an single ALP member of Parliament, including the Shadow Minister, has ever heard of the CPP scheme...so our comment would be that there is a key role for the DIBP and its providers in ensuring bipartisan political support for any continuation of the program.

Secondly, we would actively support the program being extended:

- IF the places were ADDITIONAL to the annual humanitarian intake quote; and
- IF the applicants were prioritised on the basis of the strength of the humanitarian situation from which they are seeking asylum, as opposed to the places being filled on a first-come-first-served basis, or on the speed at which they can muster the funds (understanding that it IS a fee-for-visa program).

Kind regards

[REDACTED] | Executive Officer (Wed, Thurs, Fri)
 Australian Churches Refugee Taskforce
Telephone s. 47F(1) [REDACTED] | **Email** info@acrt.com.au
[Follow us on Facebook](#) | [Join us on Twitter](#) | [Visit our website](#)

----- Original message -----

From: Community Proposal Pilot <community.proposal.pilot@immi.gov.au>
Date: 10/06/2015 10:47 am (GMT+10:00)
To:
Cc: Community Proposal Pilot <community.proposal.pilot@immi.gov.au>
Subject: DIBP Discussion Paper - Community Sponsorship Programme [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning,

Please find attached for your consideration a Department of Immigration and Border Protection discussion paper on a proposed model for a fully-fledged Community Support Programme for refugees and humanitarian entrants.

The discussion paper seeks community views on possible features of a fully-fledged Community Support Programme which could replace the existing Community Proposal Pilot (CPP). We would greatly appreciate your thoughts on the features proposed in this discussion paper.

Submissions and responses should be provided to the Department of Immigration and Border Protection by **15 July 2015** and can be emailed to the Community Proposal Pilot mailbox (community.proposal.pilot@immi.gov.au) or mailed to:

Assistant Secretary, Citizenship and Humanitarian Policy Branch
PO Box 25
BELCONNEN ACT 2616

Kind regards,

Community Proposal Pilot Implementation Team
Citizenship and Humanitarian Policy Branch
Department of Immigration and Border Protection
Email: community.proposal.pilot@immi.gov.au

UNCLASSIFIED

From 1 July 2015 email addresses will change from '@immi.gov.au' or '@customs.gov.au' to '@border.gov.au'. This is to reflect the Department of Immigration and Border Protection and the Australian Customs and Border Protection Service integrating into a single organisation - the Department of Immigration and Border Protection - on 1 July 2015. At this time the Australian Border Force will be established within the Department. Please update your records and systems to reflect this change.

UNCLASSIFIED

Response to Community Support Programme Discussion Paper

Submitted to:

Department of Immigration and Border Protection

July 2015

Introduction

About AMES

AMES is a statutory body and the largest provider of settlement, education and employment services for newly arrived migrants and refugees in Australia. The overarching purpose of AMES work is to support migrants and refugees as they move from early settlement to independence and greater participation in mainstream Australian life.

AMES works with approximately 40,000 people from migrant and refugee backgrounds each year. AMES directly assists approximately 4,000 refugees settle through state-wide delivery of Humanitarian Settlement Services and provides English language and settlement training to over 11,000 refugees and migrants annually through the Adult Migrant English Program. AMES provides foundation skills and entry level vocational training to job seekers through the federally funded Skills for Education and Employment program, the Victorian Training Guarantee and pre accredited programs funded through the Victorian Government. AMES also provides jobactive employment services in Victoria and western Sydney.

This direct relationship with refugee and migrant communities provides AMES with unique insights into the settlement needs of new arrivals and how to progress successful settlement for this specific population.

AMES involvement in Community Proposal Pilot

AMES has been an Approved Proposing Organisation (APO) under the Community Proposal Pilot (CPP) since the Pilot commenced in September 2013. AMES has worked closely with the Brotherhood of St Laurence, Liverpool MRC, Illawarra Multicultural Service and the Adelaide MRC who are the four other APOs involved in the Pilot across Australia. During this period AMES has worked closely with the Department. In addition to quarterly reports and data, AMES has assisted with the development of the Deed of Agreement, provided ongoing input into the evaluation of the Pilot, participated in regular APO teleconferences with the Department and provided valuable insights into CPP issues at the APO annual workshops. The following table is indicative of the scale of AMES involvement in the Pilot.

	2013 /14	2014/15	2015/16
Expressions of Interest	164	323	282
Proposing families	23	26	-
Applications lodged	27	26	-
Visa Applicants	89	84	-
Visa Grants	67	33	-
Arrivals	67	32	-
Pending decision	17	35	-

Context

Australia has a long history of responding to humanitarian situations and global resettlement needs created as a result of war and political conflict. Australia has supported thousands of refugees and people in humanitarian need from around the world to find safety and rebuild their lives here. This bi-partisan principle has been shared by successive governments over many years.

This commitment to refugee protection and resettlement is demonstrated through Australia's Humanitarian Programme¹ which aims to:

¹ <http://www.immi.gov.au/pub-res/Documents/discussion-papers/humanitarian-programme-2015-to-2016.pdf>

- provide permanent resettlement to those most in need, who are in desperate situations overseas, including in refugee camps and protracted humanitarian situations
- reunite refugees and people who are in refugee-like situations overseas with their family in Australia, and
- use resettlement strategically to help stabilise refugee populations, reduce the prospect of irregular movement from source countries and countries of first asylum, and support broader international protection.

There are increasing numbers of people globally seeking protection and resettlement. The number of locations around the world where political conflict, persecution and violence is causing residents to escape their own countries is also growing. The UNHCR recently reported that the numbers of people fleeing their country has accelerated to the highest levels ever recorded.²

At a time when increased responses to global humanitarian situations are urgently required by developed nations, the Community Support Programme (CSP) represents an opportunity to increase Australia's capacity to respond, support international obligations and further our commitment to the protection of refugees.

Commitment to refugee resettlement goes beyond the number of visas available in the Humanitarian Programme each year. Taking a longer term view of sustainable settlement and broader social cohesion, AMES experience as a settlement agency is that intact families have a significant and positive impact on the successful settlement of refugees in Australia. Our experience is that both migrants and people who arrive on humanitarian visas are not able to fully settle until families are re-united. Initiatives such as the CSP expand the opportunities for families to be reunited and subsequently become well settled participants in the Australian community.

Response to Discussion Paper

AMES strongly supports the expansion of the Humanitarian Programme through the addition of the proposed Community Support Programme. We welcome the opportunity to respond to the Discussion Paper and provide feedback in the following four areas for consideration.

- 1 Community Support Programme in relation to the Humanitarian Programme
- 2 Eligibility for a Humanitarian visa under the Community Support Programme
- 3 Assurance of Support alternatives
- 4 Uniform system of Approved Proposing Organisations nationally

1. Community Support Programme in relation to the Humanitarian Programme

AMES strongly supports the Community Support Programme (CSP) as an alternative resettlement pathway for families and communities with the social and financial resources to support new arrivals. It is clear that by families and communities covering the cost of visas, airfares, medical checks and on arrival settlement support, the financial impact on government is reduced and the government provided with a lower cost resettlement option for some humanitarian entrants. Findings from the Community Proposal Pilot (CPP) show that Pilot applications contributed \$2.04m towards the cost of resettlement through the Visa Application Charge, and that government costs were further reduced by having communities provide settlement support to entrants that would otherwise have been provided through Humanitarian Settlement Services (HSS)³.

² UNHCR Global Trends Report 2014 <http://www.unhcr.org/556725e69.html>

³ DIBP Community Support Programme Discussion Paper June 2015

Feedback from the communities and families AMES worked with as an Approved Proposing Organisation (APO) during the Pilot has been very positive. At the same time AMES and the communities themselves are aware that some families and communities can better afford the CSP option than others, for example, communities who have been in Australia longer compared to more recently arrived, less well established communities.

The approach in the Community Proposal Pilot was to use places taken from the existing Humanitarian Programme quota. This establishes a structure and processes within the Humanitarian Programme in which those with financial means are advantaged (in terms of access to a place and speedy resolution of application) over those without. By allocating places from the Humanitarian Programme quota to the CSP, the opportunities for resettlement are materially reduced for those without access to financial backing. In other words, there are fewer places available for those in equal humanitarian need but with less capacity to pay.

Community members AMES consulted with report that it is particularly distressing for people who have spent many years in refugee camps overseas waiting in the "queue" for a Humanitarian Programme place (and their immediate relatives in Australia seeking to re-unite family) to see those places allocated and visas granted relatively quickly to others on the basis of financial backing in Australia.

Communities AMES has worked with were also concerned that CPP entrants received faster resolution of applications than other Humanitarian Programme entrants even though they were accessing the same quota. This sets up the potential for difficulties regarding the perception of a fair and equitable process. A more transparent process, whereby CSP numbers and processes are completely separate from the Humanitarian Programme, would address this issue.

AMES acknowledges and supports the intended increase in Humanitarian Programme places. However, AMES strongly recommends that places for the CSP should be allocated outside the current levels within the Humanitarian Programme to allow maximum access for those who are not able to pay, but who remain in desperate need of protection and family reunion.

If places are taken from within the quota, the CSP puts pressure on the number of visas available under the Humanitarian visa stream. Consideration needs to be given to this impact in terms of available places for other groups for which the Humanitarian Programme is intended.

At the same time AMES acknowledges the value of Community Proposal Pilot based on our experience and feedback from the communities who were directly involved during the Pilot. There has been a very high demand for places during the Pilot and a gathering momentum for the Programme as indicated by the very high number of Expressions of Interests in week one of 2015/16. Given the rapid uptake of available visas during the Pilot and the willingness and capacity of communities to take on this responsibility it would be viable to increase in the numbers of CSP places in future.

AMES recommends that

- 1. The number of Community Support Programme (CSP) places should be in addition to the number of Humanitarian Programme places. Places allocated to the CSP should not reduce the number of places available to government supported applicants under the Humanitarian Programme.**
- 2. Processes for Community Support Programme be separate from Humanitarian Programme**
- 3. The number of places available under the Community Support Programme be increased.**

2. Who should be eligible for a humanitarian visa under the CSP?

The proposed CSP is described in the Discussion Paper as “primarily a humanitarian scheme” resulting in the grant of a humanitarian visa. As with all applicants for humanitarian visas, CSP applicants would be required to meet all the legislative criteria including health, character and security checks. The critical criteria is that the person is being subjected to persecution or substantial discrimination, amounting to gross violation of human rights, in their country of origin.

AMES understands there are always many more applications than places available in the Humanitarian Programme. Prioritising applications is therefore necessary and one of many complexities in making decisions on resettlement. The Department currently has criteria in place to frame this prioritising and decision making process. For example, in addition to the mandatory legislative criteria, applicants must satisfy the decision maker that there are compelling reasons for giving special consideration to the grant of a visa. This criterion is common to all permanent visa subclasses under the offshore Humanitarian Programme.

Eligibility criteria for humanitarian visas do not currently, and should not in future include the ability to speak another language (in this case English), a person’s age or health requirements stricter than those already in place.

It is worth noting that Australia has conducted a successful refugee resettlement programme over many years which has included large numbers of people with little or no English. Indeed the source countries for many refugees will not be English speaking countries. Research undertaken by Professor Graeme Hugo⁴ found that the overwhelming picture, when one takes the longer term perspective over the working lifetime of Humanitarian Programme entrants and their children, is one of considerable achievement and contribution. Evidence of the social and economic contribution of refugees outlined in this research report include:

- a demographic dividend because of a low rate of settler loss, relatively high fertility rate and a high proportion of children who are likely to work the majority of their lives in Australia
- increasing refugee settlement in non-metropolitan areas which creates social and economic benefits for local communities
- capacity to meet labour shortages, including in low skill and low paid occupations
- higher than average proportion engaging in small and medium business enterprises
- a higher level of workforce participation than the Australia-born for second generation refugees

This has all been possible without imposing an English language requirement on entrants.

In the Community Support Programme the onus is on

- the proposer to provide evidence that they are capable of supporting the entrant and
- the APOs to conduct a very thorough assessment of the proposing family or community’s capacity to support the entrant during settlement.

It is the proven capacity of the proposer and the rigor of the APO’s assessment that count in the CSP, rather than additional criteria or characteristics attached to the applicant (beyond the existing criteria for all humanitarian applicants).

⁴ Hugo, G 2011, A Significant Contribution: the Economic, Civic and Social Contributions of First and Second Generation Humanitarian Entrants, Report prepared for the Department of Immigration and Citizenship, Australia, <http://www.immi.gov.au/media/publications/research/pdf/economic-social-civic-contributions-booklet2011.pdf>.

AMES recommends that

- 4. All applicants for humanitarian visas should be assessed on the basis of need and against objective, legislative criteria regardless of whether they are seeking to enter Australia under the Humanitarian Programme or under the CSP.**
- 5. The ability to speak English should not become a requirement for grant of a Humanitarian visa.**

3. Assurance of Support

Proposing families and communities must demonstrate the means to support entrants both financially and personally during initial settlement. Eligibility criteria for proposers should include evidence of being well-settled in Australia and with a stable income which is sufficient to support the entrant. This must cover provision of accommodation as well as clothing, food, transport and immediate needs throughout the settlement period.

Clearly early employment is key to the successful settlement of refugees. If entrants can commence work as soon as possible after arriving it provides independent means to settle as well as reducing the cost to government in settlement and welfare support.

The future Community Support Programme model should therefore consider building in effective ways to get entrants into employment as soon as possible to both further their own settlement and to limit the need to access welfare payments. There may be useful insights from models used in other countries to consider in this light.

There is also a potential increased role for Supporting Community Organisation (SCOs). SCOs played a significant role in the Community Proposal Pilot. AMES as an APO has formal arrangements with four SCOs and our experience is that the SCOs take their responsibilities in regard to settlement support very seriously. These organisations directly assist with settlement and importantly have key connections in the community to assist with accommodation and employment opportunities (for example often through small businesses run by community members). SCOs will potentially have a larger role to play in the CSP as communities and community based organisations propose groups of applicants or families (as opposed to individual family proposers as was the case in CPP). Supporting SCOs to take on a pro-active role in getting their entrants into work may be worth consideration, noting that in future SCOs may include mainstream organisations, such as churches, with links to jobs and other resources.

Secondly, rather than establishing an Assurance of Support mechanism AMES believes the Visa Application Charge (VAC) - currently set at approximately \$20,000 for a primary / single applicant - could be increased to around \$25,000. These funds can further offset costs related to health (Medicare) and income support if required (through Centrelink).

This single one off Visa Application Charge (made as two payments linked to stages of the application process) provides a known income stream for government and is less costly to administer than individual assurers repaying some of the health and welfare costs at different points of time and for varying amounts throughout the settlement period, as would be the case with an Assurance of Support scheme.

It should be noted that AMES recommendation regarding an increased VAC only applies within the context of CSP numbers being in addition to the Humanitarian Programme numbers (as discussed above).

It is also worth noting that the proposers in the current CPP are required to pay a bond of \$5000 to the APO just prior to migration. In the event that the proposer is unable to fulfil their settlement obligations to the

humanitarian entrant the bond money will be used for one month's rent, rental bond and household formation. AMES experience as an APO in the Pilot to date is that no proposer has failed to fulfil their role in settling the humanitarian entrants and that the bond has been refunded in full.

All the proposers with whom AMES has worked as an APO in the Pilot and whose entrants have successfully completed their 12 months settlement period have had their bonds repaid in full. The Bond system appears to have worked well in the Community Proposal Pilot and AMES recommends its continuation in the CSP.

AMES recommends

- 6. Investigating effective ways to assist entrants into work as soon as possible, including consideration of the role of Supporting Community Organisations**
- 7. An increase to the Visa Application Charge to further off set health costs and income support, if required⁵**
- 8. Continuation of the Bond arrangements as operated in the Community Proposal Pilot**

4. Uniform system of Approved Proposing Organisations nationally

Based on our experience in the Community Proposal Pilot, AMES believes the APO model is workable and appropriate for the Community Support Programme. The APO model provides both impartiality and rigor via the formal agreement that APOs enter into with the Department. AMES supports the necessity for APOs to be experienced in refugee resettlement with well-established and stable governance, administrative and financial frameworks in place.

However, to better manage risk AMES recommends that one APO with these characteristics should be located in each state / territory to conduct assessments and manage applications from proposers in that state.

State based APOs will address the issues and risk inherent in having, for example, an organisation based in Melbourne thoroughly assess an application from a community / family in Queensland, and monitor settlement of successful applicants over 12 months, as was the case in CPP.

The Discussion Paper provides a comprehensive list of settlement support and services required of proposers. This was used by APOs in the Pilot as a checklist / guide when making an assessment of an applicant's capacity to provide the required support to entrants. To ensure the entrant is adequately supported by the proposing family / community, this assessment needs to be thorough and evidence based.

This critical function could be improved by having locally-based APOs. For example, APOs in each state would be better placed to conduct face to face interviews and accommodation inspections. Through their experience in settlement APOs will be closely linked to both mainstream and CALD specific agencies at the local level. A locally based organisation in the Settlement sector will therefore have first-hand knowledge of local proposing communities and their links to HSS, employment opportunities and mainstream services to bring to the APO role. This on-the-ground knowledge may be useful in assessing and / or verifying claims made in applications.

AMES acknowledges that Supporting Community Organisations (SCO) are available to assist in these situations. However, although responsibility may be delegated to a local SCO, the APO is ultimately and contractually

⁵ AMES recommendation regarding an increased Visa Application Charge only applies within the context of CSP numbers being in addition to the Humanitarian Programme numbers.

responsible for the proposal of humanitarian entrants to the Department and the successful settlement of humanitarian entrants.

State based APOs will also support a more effective monitoring function required during the 12 months after entrants arrive and be available to handle the high level of demand from each state that was evident in CPP.

AMES recommends that

- 9. To better manage risk one APO should be located in each state / territory to conduct assessments and manage applications from families and communities in that state.**



Brotherhood
of St Laurence

Working for an Australia free of poverty

Submission to the Department of
Immigration and Border Protection

Community Support Programme discussion paper

Brotherhood of St Laurence

July 2015

About the Brotherhood of St Laurence and our work with people of refugee and humanitarian background

The Brotherhood of St Laurence (the Brotherhood) is an independent non-government organisation with strong community links that has been working to reduce poverty in Australia since the 1930s. Based in Melbourne, but with a national profile on matters of disadvantage, the Brotherhood continues to fight for an Australia free of poverty. We undertake research, service development and delivery and advocacy with the objective of addressing unmet needs and translating the understandings gained into new policies, new programs and practices for implementation by government and others.

The Brotherhood works to address disadvantage at key transition points across the life course using a preventative and early intervention approach. We work with children and families in the early years, young people moving through school to work, adults who are in and out of work, and older people facing the challenges of retirement and ageing.

In all our work, we aim to strengthen the capacity of newly arrived refugee and migrant communities to become active participants in the social and economic life of Australia. The Brotherhood's Ecumenical Migration Centre (EMC), operating since 1956, is at the forefront of these efforts.

This submission draws on the Brotherhood's experience of working with refugee and migrant communities in a diverse range of situations including:

- Family support services such as the state funded Integrated Family Services through which the Brotherhood focuses on supporting culturally and linguistically diverse families to address parenting and child welfare issues.
- Settlement services such as the federally funded Refugee Child Outreach program which works with newly arrived families to ensure their young children are engaged with early childhood services and the Federal Government's Community Proposal Pilot which facilitates sponsored humanitarian resettlement.
- Employment pathways support including the local government and philanthropically funded Stepping Stones to Small Business program for entrepreneurial refugee and migrant women, the local government funded Employment Pathways for Young Asylum Seekers program and the state funded Resource program which assists young people of refugee and migrant background to plan their future pathways.
- Community capacity building programs such as the state funded Refugee Action Program which builds the leadership skills and capacity of leaders from newly arrived communities and the federally funded Brainbank program which matches skilled volunteers with refugees and migrants seeking mentoring and assistance to develop community projects.

Brotherhood of St Laurence
67 Brunswick Street
Fitzroy, Victoria 3065
www.bsl.org.au

For further information or to discuss this submission, please contact:

[REDACTED]
Senior Manager, Refugees, Immigration and Multiculturalism
Brotherhood of St Laurence
Email: [REDACTED]
Ph: (03) 8412 8718

Recommendations

Recommendation 1

A Community Support Programme should be an additional stream to the Humanitarian Programme, without any reduction of places available in the latter.

Recommendation 2

Individuals, families and community groups should continue to be able to propose humanitarian entrants under a Community Support Programme.

Recommendation 3

The Department actively encourages the development of Approved Proposing Organisations in each state and territory to ensure equity of access to a Community Support Programme.

Recommendation 4

Eligibility for a humanitarian visa in a Community Support Programme should be based on refugee status, strong family links in Australia and the capacity of the family to provide comprehensive support and not on other considerations such as employability.

Recommendation 5

An Assurance of Support should not be part of a Community Support Programme.

Recommendation 6

Humanitarian entrants under a Community Support Programme should not be eligible for Humanitarian Settlement Services, but should continue to be eligible for Settlement Services and the Complex Case Support Programme.

Overview

Australia has a long and proud history of providing resettlement to refugees through its Humanitarian Programme. While resettlement offers a new start, it is often accompanied by the immense difficulty of leaving family behind. The ongoing suffering of loved ones overseas and the responsibility of those resettled in Australia to provide significant financial and emotional support is a fact of life for many refugees in Australia.

While the Special Humanitarian component of the Humanitarian Programme provides the opportunity to apply for family members in refugee situations to be resettled in Australia, the demand for this program far exceeds the available places, leading to disappointment and frustration. A few people may be eligible for the Family Migration programme, but for most, the lack of access to a Special Humanitarian visa results in a life time of separation, with significant social, emotional and financial consequences.

The Department of Immigration and Border Protection's Community Proposal Pilot programme has provided an alternative avenue to access humanitarian places, in return for people taking on particular responsibilities to enable the resettlement of their relatives.

The Brotherhood has been actively engaged in the Community Proposal Pilot as one of the five Approved Proposing Organisations appointed by the Department since the Pilot's inception in 2013. Approved Proposing Organisations are responsible for lodging humanitarian visa applications on behalf of community organisations and individuals, ensuring the payment of prescribed fees and overseeing the delivery of settlement support to the new arrivals by their families for up to 12 months.

We have found that there has been an enormous demand from the community for the Pilot which has resulted in an oversubscription of the available places. The Pilot has generally been very positively received. We have been impressed by the commitment and capacity of families to provide comprehensive practical, financial and emotional support to their newly arrived loved ones.

We have also been impressed by the motivation of new arrivals to be self-sufficient, further their education and employment and contribute to the community. Many have been living in difficult situations overseas for long periods, requiring initiative and drive to simply survive. They bring these qualities with them to Australia. When these are combined with the offer of opportunities they've never had and the support of their families, we have found that humanitarian entrants under the Pilot are achieving positive settlement outcomes in a short space of time. For those with no English on arrival, participating in the Adult Migrant English Program is the priority in the first 12 months. Those with existing English language abilities have engaged in education and training (secondary school, certificate level, pre-apprenticeships or bridging courses towards university). Some have used their pre-existing qualifications and others are working towards qualifications in fields including aged care, nursing, hairdressing, architecture, mechanical engineering and pharmacy. We are pleased that some have found employment within their first year in Australia.

The Brotherhood welcomes the opportunity to provide input into the development of a future Community Support Programme. The pressure on the Humanitarian Programme will only increase as conflicts around the world become more complex and protracted. Accordingly, we believe there is merit in offering an additional pathway to humanitarian resettlement with enhanced family support, provided it does not reduce places available in the general Humanitarian Programme.

Comments on the Discussion Paper

A Community Support Programme should be an additional stream to the Humanitarian Programme.

Our overarching concern is that a Community Support Programme must not provide resettlement places at the expense of the Special Humanitarian component of the Humanitarian Programme, which is already seriously oversubscribed. Many families fail in their application to reunite with loved ones in humanitarian situations overseas due to the limited places available. By a Community Support Programme utilising resettlement places from the Humanitarian Programme, these families' chances are further diminished and many lack the financial resources required to participate in a Community Support Programme.

Recommendation 1:

A Community Support Programme should be an additional stream to the Humanitarian Programme, without any reduction of places available in the latter.

Individuals, families and community groups should be able to propose humanitarian entrants

We believe that the Pilot adopted a good approach to identifying who is proposed for resettlement. As it is a sponsorship model, it is appropriate that prospective humanitarian entrants are identified by individuals, families or community groups in Australia who have existing links with them and the capacity to provide comprehensive settlement support.

Recommendation 2:

Individuals, families and community groups should continue to be able to propose humanitarian entrants under a Community Support Programme.

Approved Proposing Organisations should be present in each state and territory

It would be important to ensure that there are Approved Proposing Organisations in all states and territories to ensure equity of access to a future Community Support Programme. Currently there are Approved Proposing Organisations in Victoria, New South Wales (also servicing Australian Capital Territory) and South Australia. In the Pilot phase, the Brotherhood received many inquiries from families in other states and territories who were disadvantaged due to the lack of a local Approved Proposing Organisation.

Recommendation 3:

The Department actively encourages the development of Approved Proposing Organisations in each state and territory to ensure equity of access to a Community Support Programme.

A Community Support Programme as a humanitarian not an economic migration programme

People who are found to be refugees and have strong links to family in Australia who can provide social, emotional and financial support should be eligible for a humanitarian visa in a Community Support Programme. No further eligibility criteria should be applied and applicants should not be subject to more stringent health regulations than any other prospective migrants or refugees.

Australia's resettlement of refugees is undertaken in the spirit of offering protection to those who have suffered persecution. Assessing other characteristics – such as English language ability, age and qualifications – undermines this humanitarian intent. While gaining employment should be supported as an essential aspect of positive settlement, it ought not be a factor in determining whether to offer humanitarian protection to

refugees. Such an approach would shift the nature of a Community Support Programme from a humanitarian programme to an economic migration programme.

All refugees will experience a degree of vulnerability by virtue of their experiences of violence, persecution and traumatic events. As such, there must be an acceptance of the likelihood that entrants under a Community Support Programme will have vulnerabilities. This needs to be recognised in the program design. Families participating in a Community Support Programme should have a strong capacity to assist with essential registrations, referrals to health services, education and employment, local area orientation, accommodation and understanding Australian laws and culture.

Recommendation 4:

Eligibility for a humanitarian visa in a Community Support Programme should be based on refugee status, strong family links in Australia and the capacity of the family to provide comprehensive support and not on other considerations such as employability.

A Community Support Programme should not include an Assurance of Support requirement

We have a number of concerns about the proposal to include an Assurance of Support in a Community Support Programme.

There is evidence that an Assurance of Support could have detrimental social, emotional and financial impacts on the new arrival and their family. Following the introduction of new waiting periods for social security payments under the Assurance of Support scheme in 1998, a number of organisations reported adverse effects on newly arrived migrants related to resulting impoverishment, including poor physical and mental health and barriers to seeking employment due to the lack of funds for transport and vocational training.¹ Further, the financial constraint imposed by an Assurance of Support has been found to create pressure in family and community relationships, which can lead to family breakdown and estrangement, homelessness and even exploitation of new arrivals.²

Families pay significant fees to participate in a Community Support Programme; these partially offset the costs to the government associated with the entrants' use of Centrelink and Medicare. We believe that the imposition of further financial obligations, in the form of a bond and an undertaking to repay any social security payments paid to the new arrival, would create an unreasonable and potentially unmanageable burden for proposers under a Community Support Programme.

Moreover, it would be unprecedented to introduce an Assurance of Support requirement to a humanitarian programme. It would undermine the humanitarian intent of a Community Support Programme by ignoring the additional challenges and barriers that refugees face in entering the workforce. The critical period of settlement and adjustment to a new country must be supported with access to social security, without the prospect of these payments becoming a debt for their proposer.

It is our experience that participating families have significant social capital which can facilitate employment opportunities for new arrivals. Given the expected role of families in a Community Support Programme, it is important for families to be informed about employment services and to utilise their networks to facilitate

¹ Welfare Rights Centre 1998, Waiting to settle – the impact of the Social Security two year newly arrived resident's waiting period on new migrants and our community, Sydney, NSW.

² Centre for Multicultural Youth 2014, *Young people on Remaining Relative visas (115) and Orphan Relative visas (117) – entitlements and referral pathway options*, < <http://www.cmy.net.au/publications/young-people-remaining-relative-visas-115-and-orphan-relative-visas-117> >

entry to the job market. Imposing additional financial pressures in the form of an Assurance of Support as a means to expedite engagement in employment is not desirable when we know that families and new arrivals are already highly motivated to achieve this.

Recommendation 5:

An Assurance of Support should not be part of a Community Support Programme.

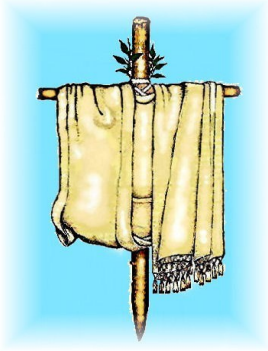
Settlement support for humanitarian entrants under a Community Support Programme

It is reasonable that humanitarian entrants under a Community Support Programme should not be entitled to access the Humanitarian Settlement Services because the Pilot has demonstrated that sponsoring families are capable of providing this intensive support in the first six months of settlement.

Access to services provided under the Settlement Grants and the Complex Case Support Programme should be maintained in a Community Support Programme to address any longer term settlement needs and to provide a safety net in the event that complex needs arise.

Recommendation 6:

Humanitarian entrants under a Community Support Programme should not be eligible for Humanitarian Settlement Services, but should continue to be eligible for Settlement Services and the Complex Case Support Programme.



The Sabian Mandaean Association in Australia LTD Mandaean Resource Centre

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 website: www.mandaean.com.au / <https://www.facebook.com/public/>
 ABN 1805 9300 319 / ACN 059 300 319

Community Support Programme Discussion Paper – June 2015

The APO that is currently in place in the Pilot is an appropriate model for a Community Support Programme as it allows for cohesion and order as well as a focus of attention on people who are seeking a Humanitarian visa. As such allowing communities within Australia who are not registered APOs can cause congestion for the organisation in charge of granting these visas as there are many people in need of refuge. This will make it more complicated for the organisation to sift through various applications and find applicants who are in dire need of support. It will also be a timely process to search through the applications. However, allowing communities within Australia to identify people to propose for a humanitarian visa under the program is a more personal and intimate process in that these communities do truly know the extent of these peoples' condition. Consideration as to whether an organisation or person can propose entrants under the programme should not be limited to their relationship to the proposed entrant as that disadvantages individuals who may have no relationship to an organisation or person within Australia but who are in urgent need of support. Key considerations should definitely include the organisations previous experience providing settlement support for humanitarian entrants as well as their capacity to support the humanitarian entrant and their knowledge or experience with humanitarian issues in the past. It does need to be noted that to place such a great emphasis on the ability of an organisation to support the humanitarian entrant may disadvantage the organisation as it may put a great deal of stress and may cause conflict within the organisation and community. UNHCR and the Department of Immigration and Border Protection can get involved by also recommending

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individuals for a humanitarian visa under the programme, however, it should be noted that the selection criteria should not be limited as every case is different to another. If the UNHCR and the Department were involved in the process then it could allow for more applications to be proposed as there would be more than one organisation looking into the claims and allowing various individuals with different circumstances to apply for support. It needs to be taken into account that applicants with humanitarian claims have suffered a great deal of discrimination that has amounted to gross violation of their human rights in their country of origin forcing them to flee. As such to make it a requirement that such applicants will only be granted a visa if they are able to settle more quickly within Australia upon arrival is disadvantageous. It needs to be noted that trauma will most likely follow an individual that has suffered human rights violations. To restrict the application success to those with English proficiency, employment skills and qualifications is to discriminate against those who may not possess the required characteristics such as single mothers. It can also be said that to have such characteristics as requirements of the application the programme could be said to accept anyone who doesn't have a humanitarian claim. The key thing that should be taken into account is whether in time and with support the applicant can settle into Australia eventually and not immediately upon arrival. Such requirements can have an advantage for the Australian economy and workforce but the disadvantages outweigh the advantages. Concerns with supporting humanitarian entrants who are highly vulnerable through the programme include their inability to ever settle within Australia and may pose a risk to the community in that they may be aggressive or hostile. However, having a community support a vulnerable applicant can be beneficial as the applicant may be more inclined to seek help from their community and so can eventually at a certain time overcome trauma and torture. Although, such cases are highly sensitive and require a lot of care and attention from communities who have experience with vulnerable applicants and that should be taken into account. little ability to integrate into Australian society,

Other concerns such as supporting an applicant who has serious pre-existing medical conditions through the programme could be disadvantaging another applicant who is healthy to an extent, from gaining a visa. Such applicants could also possess however, most individuals who have suffered gross violations of their human rights will have some form of medical condition and an individuals medical condition whether it is serious or not should not be a basis of discrimination for a claim of humanitarian support but it is something that should not be taken lightly. Priority processing is beneficial in that it speeds up a persons application allowing them to be able to arrive in Australia in a shorter time frame. The disadvantage is that it is based on skills that an applicant possesses that allows them to integrate more quickly into Australian society which disadvantages those who may not meet the selection criteria but may have a much more pressing claim. Applicants who are more likely to settle into a non-metropolitan location is beneficial for those areas as it allows individuals to contribute to areas that don't have a high demand in terms of population and workforce. A disadvantage is that the applicants may not integrate into those areas very well and may lack access to services that can support them but are located in metropolitan areas. Implications of an AoS on successful settlement of humanitarian entrants is that it does not take into account that an applicant may suffer hardships upon arrival in Australia making it very hard for them to access welfare payments and to repay the debt to the Government. It could result in situations where the applicant becomes homeless or it could lead to mental health issues. The AoS should last for 2 years or more as that seems a reasonable time in which an applicant can be assisted to gain income to be able to pay the debt off .

It should also be taken into account that the requirement of an AoS is very disadvantageous to those who do not have money to afford it. Some families may not have the income to be able to pay the amount required as such the question to be asked is what about those who are unable to pay but are in desperate need of help? The AoS can disadvantage a client's ability to prosper especially if they have spent most of their income on paying for the visa. Due to trauma and inability to access welfare, applicants may find it more difficult to pay the debt. Not all applicants will have their qualifications taken into account within Australia, disadvantaging them in the workforce not to mention the inability to speak fluent English. Some applicants may be single mothers who have children that may need 24 hour care and so could limit their ability to prosper and repay the AoS debt. People who are proposed under the Community Support Programme can be better assisted into employment if there is incentive to help them learn English and teach them employment skills as well as their ability to access organisations that help with employment. If such incentives are put in place along with other incentives, such as allowing clients to seek mental health solutions to overcome trauma and medical services to help with medical issues, then there would be a greater chance of an applicant in finding employment and settling into Australian society.

Again as mentioned with the AoS not all communities or family members of an application are equipped with the means to financially support an individual. To have a substantial amount of costs be thrown onto the community will cause a strain on them financially and emotionally and could lead to conflict. Income and financial stance should not be a main criteria for the selection of individuals who are applying for a visa as not every has the means. A VAC should be around \$15,000 to \$25,000 as that is a much more affordable range that would encourage communities to participate more in the resettlement of individuals. To have a VAC in conjunction with a AoS is to deeply disadvantage majority of people seeking a humanitarian visa as it becomes too costly for them to afford. However, there are families that are paying more than the VAC to keep their family members overseas alive and so would be willing to pay the VAC and AoS if it means getting

their family members to safety. It would also discourage any applicants who are not facing any discrimination that amounts to gross violation of human rights but at the same time it could also discourage applicants who are facing such violations because the costs are more than what they can afford.

The current requirements under the Pilot which include: meeting humanitarian entrants at airport, providing on-arrival accommodation and assisting with finding permanent housing, providing basic household goods and clothing, referral to Medicare and Centrelink offices, linking entrants with mainstream government programmes, linking entrants with the broader community, providing basic orientation, assistance in linking with the Adult Migrant English Programme (AMEP), and assistance in linking with employment service providers and other job opportunities, are responsibilities that proposers under the programme should undertake and be required to give. They are reasonable and allow for a link between the applicant and the community. It would allow the applicant to feel more comfortable and not stressed that they have to do settle into Australia alone. It also places less financial pressure on the government that can be used to support visa grants to other applicants allowing more humanitarian applicants to be considered. The disadvantages include the ability of the community or organisation to supply financially all the above requirements. Again, to have to pay for the AoS and the VAC along with the above requirements can be a strain financially and emotionally on the community providing settlement support for the humanitarian entrant. It should be noted that the community and the government should share the financial responsibility making it more likely that the community will support this and get involved. It should not be taken into account that an entrant under this programme be able to become self-sufficient as soon as they arrive in Australia. A lot of these entrants will be victims of discrimination that has led to a gross violation of their human rights forcing them to flee their country of origin and as such these people have suffered trauma and torture as well as various hardships that may be unknown to those fortunate enough to not go through such a situation. In saying so, these people will need time to heal and integrate as well as be self-sufficient upon arrival.

Entrants can be better assisted towards self-sufficiency in time by being able to access Centrelink benefits for a certain period of time to be able to stand on their feet before they are able to walk alone. Mental health support should be provided to overcome the trauma and any mental health issues an entrant might suffer in order to break down the emotional barrier that may not allow them to take that step towards self-sufficiency. Even creating a support group for entrants who have arrived under the programme or any humanitarian programme would help them connect with others and allow them to create a support network that encourages them to take steps towards integrating into Australian society. It definitely should not be taken into account or be a main contribution to the success on an entrants application, that they should be able to integrate and be self-sufficient upon arrival into Australia. Some other general comments from authority to compliment the comments made above include reference to the various Anti-Discrimination Acts enacted. Australia is known to 'give a far go' to individuals within Australia and as a result there have been various anti-discrimination laws that have been enacted by the Commonwealth as well as the States. Such acts include the Age Discrimination Act 2004, Australian Human Rights Commission Act 1986, Disability Discrimination Act 1992, Racial Discrimination Act 1975 and the Sex Discrimination Act 1984. These Acts protect individuals from being discriminated against due to characteristics such as age, gender, race or physical state. These Acts encompass basic human rights that are established under international law such as the Universal Declaration of Human Rights 1948, International Covenant on Civil and Political Rights 1966 and the International Covenant on Economic, Social and Cultural Rights 1966 in which Australia are signatory to. In saying this, Australia is seen to provide individuals with their basic human rights and more meeting the standards of the international community. As such to make it a requirement that an applicant of a humanitarian visa under the Community Programme would be more likely to achieve a visa if they are financially equipped and have little health issues as well as having qualifications and English proficiency in order to integrate into Australia and be self-sufficient in order to compliment the workforce and economy is to discriminate.

Such requirements go against the need that an applicant have suffered some sort of discrimination that has lead to a gross violation of their human rights forcing them to flee from their country of origin.

It is also worthy to note that the UNHCR's research paper (No.270) titled Post-Traumatic Stress Disorder and the Refugee Determination Process in Canada: Starting the discourse by Dr. Julian Gojer should be looked at as authority that can help in the process of understanding the health issues that come with refugees. The paper analyses how asylum seekers and refugees who have experienced pre-migratory traumatic events are more likely to receive negative refugee decisions because there is a lack of training, knowledge and experience amongst those who are granting visa applications. This can be evidenced in the Programmes concerns about applicants who may suffer medical issues and by the need for them to integrate into society immediately upon arrival despite the requirement for the visa application is to have suffered discrimination that has lead to a great violation of human rights forcing an individual to flee their country of origin. There are various barriers from communication to cultural and an understanding of mental health issues that have serious consequences in the process of determining the credibility of claimants of humanitarian visas under this programme. It should be taken into great consideration that those seeking humanitarian visas under this programme have suffered gross violation of human rights that can lead to psychological and emotional as well as physical trauma that takes time to heal and get past. In saying so there needs to be a reconsideration of the requirements of the visa application when determining who should be granted a visa application. Characteristics such as health and financial stability should not be taken into great consideration when determining if an individual deserves a visa or not.



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Date: 22 July 2015

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By email: community.proposal.pilot@immi.gov.au

Dear Assistant Secretary,

Community Support Programme – Discussion Paper – June 2015

The Law Institute of Victoria welcomes the opportunity to contribute to the Department of Immigration and Border Protection's Discussion Paper on the Community Support Programme.

Our submission is attached.

Please contact me or Kate Browne, at kbrowne@liv.asn.au or (03) 9607 9489, if you would like to discuss the issues raised in this submission further.

Yours sincerely,



President

Law Institute of Victoria



**LAW
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VICTORIA**

Community Support Programme

SUBMISSION

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TABLE OF CONTENTS

Table of Abbreviations	2
Overview	3
Recommendations	4
General Comments	5
Overall structure of the refugee and humanitarian program	5
Reflections on the Community Proposal Pilot	5
Questions for consideration	7
Who should be able to propose humanitarian clients?	7
Who should be eligible for a humanitarian visa in a Community Support Programme?	9
Should the CSP include an Assurance of Support (AoS) requirement?	10
What is the role of communities in contributing to the Community Support Programme?	11
What settlement support should be available for humanitarian entrants under a Community Support Programme?	12

TABLE OF ABBREVIATIONS

Approved Proposing Organisation	APO
Assurance of Support	AoS
Community Pilot Proposal	CPP
Community Support Programme	CSP
Department of Immigration and Border Protection	The Department
Illegal Maritime Arrival	IMA
Law Institute of Victoria	LIV
Newly Arrived Residents Waiting Period	NARWP
Office of the United Nations High Commissioner for Refugees	UNHCR
Private Sponsorship of Refugees	PSR
Safe Haven Enterprise Visa	SHEV
Special Humanitarian Programme	SHP
Supporting Community Organisation	SCO
Temporary Protection Visa	TPV
Unauthorised Air Arrival	UAA
Visa Application Charge	VAC

OVERVIEW

The Law Institute of Victoria (LIV) welcomes the opportunity to provide comment on the Community Support Programme (CSP) Discussion Paper circulated by the Department of Immigration and Border Protection. (the Department).

The LIV is Victoria's peak body for lawyers and those who work with them in the legal sector, representing around 19,000 members. We advocate on behalf of our profession and the wider community, lead the debate on law reform and policy, lobby and engage with government and provide informed and expert commentary. The LIV is a constituent body of the Law Council of Australia.

The Law Institute of Victoria supports the underlying objective of the Community Support Programme, which seeks to increase Australia's capacity to resettle individuals in humanitarian situations overseas.

Care should be taken to ensure that this program genuinely increases Australia's capacity to resettle those in humanitarian situations. It should not 'privatise' the humanitarian program, pushing costs onto community organisations which should be borne by government, while promoting what is essentially a 'fee-for-service' model (accessible only to well-resourced communities) as a genuinely humanitarian program.

We have set out our concerns below through general comments and reflections on the Community Pilot Proposal (CPP), drawn from the experience of our members, and responses to the discussion questions posed by the Department of Immigration and Border Protection (DIBP).

RECOMMENDATIONS

In summary, our recommendations are that the introduction of a Community Support Programme (CSP) ought to include the following:

- Increasing the total number of places in the Australian Refugee & Humanitarian Programme.
- Places in the CSP should not be counted within the overall refugee and humanitarian quota, but should be in addition to the overall quota.
- The APO model should be retained, but improved to ensure:
 - APOs are screened and trained to ensure a standard, consistent approach to sponsorship and support;
 - APOs are subject to stringent checks to ensure they are experienced and networked NGOs in the settlement sector, with a clear focus on settlement outcomes for those most at need;
 - APOs do not provide immigration legal advice, and are appropriately engaged with migration lawyers to ensure that they obtain accurate legal advice;
 - APOs work with communities in advance of receiving expressions of interest to broaden participation in the program, and better target the program towards those who need it most; and
 - APOs have additional funding to monitor settlement outcomes of resettled CSP entrants, with appropriate oversight and review by the Department.
- Illegal Maritime Arrivals (IMAs) and Unauthorised Air Arrivals (UAAs) should not be excluded from proposing individuals through the CSP or being sponsored under the CSP.
- All Class XB humanitarian visas should be available under the CSP, including from in country applicants.
- No stricter tests than existing humanitarian criteria should be applied in determining applications.
- Entrants should only be resettled in non-metropolitan locations if the levels of community services and social/economic disadvantage are unlikely to jeopardise settlement outcomes and there is strong community support.
- Visa Application Charge (VAC) fees should be reduced if the program numbers are to be treated as part of the Australian Refugee & Humanitarian Program. VAC fees should not increase if program numbers are counted separately.
- An Assurance of Support (AoS) should not be required, particularly if the VAC is to remain at the same price.
- Broad consultation with appropriate stakeholders should be undertaken in regards to the provision of settlement support services to ensure a consistent, sector-wide approach.

GENERAL COMMENTS

Overall structure of the refugee and humanitarian program

The latest statistics from the United Nations High Commissioner for Refugees (UNHCR) show that the number of people forcibly displaced due to persecution, conflict, violence and human rights violations is at the highest level seen since the end of World War II.¹ The LIV welcomes the Australian Government's staged increases to Australia's Humanitarian Programme in the coming years,² but believes that the humanitarian program could be expanded further in light of the global situation.

Places within the CPP (and any future CSP) should not be included within Australia's current refugee and humanitarian quota, but should be in addition to it. The ongoing inclusion of the CPP within the existing quota would undermine the humanitarian character of the program.³ Counting these places towards our humanitarian quota would essentially privatise a portion of Australia's Humanitarian Programme, limiting resettlement to those able to afford it, and shifting costs and burdens onto the community that should be borne by government.

Reflections on the Community Proposal Pilot

A key problem with the CPP stemmed from its operation as an expression-of-interest (EOI) model with very limited places. Demand for the program far outstripped supply, and the program essentially ran on a 'first in, first-served' approach. Because of this, and despite the screening process conducted by Approved Proposing Organisations (APOs), the benefits of accessing the CPP program were effectively afforded only to individuals and communities that happened to be better organized. As such, the perception of the program was that it did not prioritise applicants with the highest humanitarian need.

The high costs of the program, and onerous contractual responsibilities imposed on individuals, placed newer communities at a disadvantage. Meanwhile, well-resourced individuals were able to bypass Supporting Community Organisations (SCOs) entirely and approach APOs directly. This undermined the CPP's community-based focus, as settlement outcomes ceased to focus on community involvement and support. Because of these reasons, as well as the extraordinarily fast processing times, the CPP was viewed by some community members as a priority processing fee (or even a fee effectively guaranteeing a visa), available only to well-established and well-resourced communities, rather than an inclusive community-support model.⁴

The role of the APOs under this program was underdeveloped. Though APOs maintained a good relationship with the Department, they were largely left to administer the program, decide on EOIs and assist individuals applying for visas on their own. In a number of cases, APOs did not follow a consistent or standardized approach, instead operating on an ad hoc basis. APOs were largely trusted to monitor settlement outcomes themselves, with little Departmental oversight. This could be managed in the future by ensuring the program is properly documented and managed.

¹ See UNHCR *Global Trends; Forced Displacement in 2014* <<http://www.unhcr.org/556725e69.html>>

² Community Support Programme Discussion Paper, p 5.

³ Refugee Council of Australia submission "Simplification of Offshore Refugee & Humanitarian visas" <http://www.refugeecouncil.org.au/wp-content/uploads/2015/02/1502-RefugeeProgram.pdf>

⁴ See, e.g. Refugee Council of Australia, *Australia's Refugee and Humanitarian Program 2014-2015; RCOA submission*, February 2014, pp 36-7 <https://www.refugeecouncil.org.au/r/isub/2014-15_Intake%20sub.pdf>

From a risk management perspective, the lack of participation from migration lawyers was particularly concerning. The role of lawyers in the CPP program was not addressed, and, as a result, APOs often provided migration assistance and advice themselves. One exception to this can be seen in the Brotherhood of St Lawrence in Victoria, which worked closely with migration lawyers to provide preliminary legal advice and to refer on more complex cases. This relationship likely contributed to the success of the program in Victoria.

QUESTIONS FOR CONSIDERATION

Who should be able to propose humanitarian clients?

1. *Should communities in Australia be able to identify people to propose for a humanitarian visa under a Community Support Programme?*

The LIV generally supports the implementation of a CSP as a measure to increase Australia's capacity to resettle those in humanitarian situations. As noted by the Canadian Council for Refugees in their report on Canada's Private Sponsorship of Refugees program, there are a number of advantages to implementing a CSP, including:

- increasing the number of refugees able to be resettled;
- reducing the time required for refugees to settle successfully;
- reducing reliance on public resources; and
- giving communities the opportunity to welcome refugees, and in turn enrich their lives by "building empathy, understanding and a concern for the wider problems of the world."⁵

2. *What are the key considerations that should determine whether a person or organisation can propose entrants under a Community Support Programme?*

A CSP can be undermined by a large number of applications, especially where a significant proportion of those applications are ultimately unsuccessful. This is what occurred in Canada's Private Sponsorship of Refugees Program (PSR), which was undermined by high submission rates of applications, high refusal rates and delays.⁶ It is important to ensure that the organisations proposing entrants under a CSP are sufficiently trained so that the screening process is consistent and appropriately rigorous, though it should be noted that sponsoring agencies are not qualified to decide questions of merit. A balanced and transparent approach is required, including the development of a clear policy and training program for sponsors.

The risk of unsuccessful applications can be reduced by ensuring that the organisations sponsoring refugees are engaged with migration lawyers. As noted by our members, the high success rate of CPP applications in Victoria can be attributed in part to the Brotherhood of St Lawrence's strong engagement with the legal sector, with the majority of refusals being due to credibility and dependency issues, rather than flaws in the application itself.

The focus of any CSP ought, ultimately, to be on improving settlement outcomes for those in humanitarian situations. APOs under the CPP collected fees of around \$5000 - \$6000 from individuals, regardless of outcomes, so there is a risk that individuals or organisations may sponsor individuals for income-generating purposes, rather than as part of a concerted humanitarian program. Sponsors should be established not-for-profit organisations, with experience and networks in the settlement sector. This will limit the potential for abuse and improve the effectiveness of the program in resettling individuals.

⁵ Canadian Council for Refugees, *Private Sponsorship of Refugees: Challenges and Opportunities* (April 2006)

⁶ See Citizenship and Immigration Canada, *Summative Evaluation of the Private Sponsorship of Refugees Program*, April 2007 < <http://www.cic.gc.ca/english/resources/evaluation/psrp/psrp-summary.asp> >

Community engagement is particularly important, not only in improving settlement outcomes, but in identifying individuals to sponsor. The EOI and screening processes employed during the CPP gave preference to established, well-resourced communities over others, with a number of cases being driven entirely by well-resourced individuals approaching APOs directly. Sponsoring agencies need to have strong links, and work with those communities before any EOI process, in order to broaden participation in the program and target sponsorship to those who need it most.

The LIV recommends that refugees who arrived in Australia by boat (defined by the Australian Government as Illegal Maritime Arrivals) should not be barred from putting forward individuals for sponsorship by sponsoring agencies. This policy would inappropriately penalise asylum seekers based on their method of arrival.⁷ Regardless of their method of entry into Australia, the families of both refugees and protection visa holders usually reside in refugee source countries and are often in urgent need of resettlement as identified by the UNHCR.

3. *Is the APO model appropriate for a Community Support Programme?*

The LIV generally supports the use of the APO model trialed in the CPP. Through the Deed of Agreement, this model ensures a baseline of minimum obligations in screening and processing applications, which limits the number of unsuccessful applications and reduces costs and delays. This model is likely the reason for the relatively high grant rates seen in the CPP when compared to other models, such as the Canadian PSR.

This model also ensures that those responsible for sponsoring individuals are engaged with the community that will ultimately host them, and are well-equipped to provide settlement support. This improves settlement outcomes and limits the opportunity for abuse of the system for profit-making or visa outcome purposes.

However, the APO model can be significantly improved. APOs should be monitored and trained to ensure a consistent screening approach, involving appropriate engagement with the migration advice profession.

APOs also need to work with communities in advance of receiving EOIs to identify more individuals in need of sponsorship. This will broaden participation in the program and allow APOs to target sponsorship to those who need it most. Such engagement is necessary to ensure the CSP remains a genuinely humanitarian program in line with global resettlement priorities, and dispel perceptions of the program as a priority fee or fee-for-a-visa program.

APOs should receive funding to monitor settlement outcomes of resettled CSP entrants, with Departmental oversight. This will assist the review and improvement of the program and limit the opportunity for abuse. Such oversight would also assist the Department in allocating annual numbers in this category for re-settlement, or in adjusting annual numbers in response to international humanitarian concerns or crises.

4. *What involvement could UNHCR and the Department of Immigration and Border Protection have in identifying people to propose for a humanitarian visa under a Community Support Program?*

It is important that the application process be targeted to support those who need it most, rather than operate on a purely 'first in, first served' basis. Global resettlement priorities should inform much of the APO's work in processing applications, and the United Nations High Commissioner for Refugees ('UNHCR') could play a much greater role in assisting APOs to broaden the communities involved and focus on humanitarian

⁷ Consistent with the Law Council of Australia, *Asylum Seeker Policy*, available online: http://www.lawcouncil.asn.au/lawcouncil/images/LCA-PDF/a-z-docs/AsylumSeeker_Policy_web.pdf, item 7(d).

priorities. The UNHCR could work with APOs to assist in identifying individuals and families in highest need of resettlement.

The Department may also play a role in increasing community participation and tracking global resettlement priorities, though it is important that the program is not politicised.

Who should be eligible for a humanitarian visa in a Community Support Programme?

The CSP should be separate to other refugee and humanitarian program quotas (as discussed earlier). In line with this delinking, the LIV supports offering all Class XB humanitarian visas through the CSP, and permitting the sponsorship of both onshore and offshore individuals (based on humanitarian need).

The Discussion paper states that IMAs and Unauthorised Air Arrivals (UAAs) granted a Temporary Protection Visa ('TPV') or Safe Haven Enterprise Visa ('SHEV') are not included in the Humanitarian Programme. It is the LIV's position that TPVs/SHEVs are inconsistent with Australia's international obligations,⁸ and we support the reintroduction of permanent protection options for all refugees that enter Australia. The LIV recommends that the CSP should be open to all applicants, including IMAs and UAAs.

5. A Community Support Programme could be targeted towards applicants with humanitarian claims who are also likely to settle more quickly upon arrival in Australia. What are the advantages and disadvantages of this approach?

Humanitarian entrants should be selected on the basis of their level of resettlement need, not on the basis of factors that may affect their settlement prospects. English language, age, skill, health or other tests which are stricter than the existing humanitarian criteria should not be a part of the CSP. The humanitarian program sits outside the migration program for this very reason. It is problematic to blend objectives and criteria between the two, and would risk a perception of the CSP as a form of skilled refugee visa.

6. What are the concerns and risks with supporting humanitarian entrants who are highly vulnerable, such as woman at risk or people subject to torture and trauma overseas, through a Community Support Programme?

7. What are the concerns and risks with supporting humanitarian entrants who have serious pre-existing medical conditions through a Community Support Programme?

CSPs should not be assessed using stricter tests than existing humanitarian criteria. Concerns regarding the capacity of highly vulnerable persons or those suffering from pre-existing medical conditions to successfully settle in Australia should not be employed to their disadvantage.

Obviously, these groups will face unique challenges in successfully settling in Australia, and will require appropriate support from sponsors, the community and public services. Australia's robust health system is well-equipped to assist with any pre-existing medical conditions, including mental health issues. There are a number of organisations who have experience with assisting entrants to access these services.

⁸ Law Council of Australia, *Asylum Seeker Policy*, item 7(d).

8. Humanitarian applicants under a Community Support Programme could receive priority processing. What are the advantages and disadvantages of this approach?

Processing times in the Class XB program can range between 1–3 years, whereas under the CPP many individuals and families were granted visas within 2–6 months after lodgement.

The ability to receive priority processing through a CSP is likely to increase community interest in the program. However, this vast discrepancy in processing times exacerbates the risk of perceiving the Visa Application Charge ('VAC') as a priority processing fee. Whilst priority processing would benefit CSP entrants in urgent need of resettlement, it may also cause tensions between proposers who wait for several years to be reunited with their families under the Class XB program. Given the protracted timeframes for finalizing medical and security assessments, the community may perceive such priority processing as bypassing such clearances, and thus believe that CSP entrants are required to meet different or lower criteria.

Instead of focusing on providing priority processing for CSP applicants, processing times should be improved across the Class XB program, to ensure that vulnerable humanitarian entrants are processed and finalized in line with the urgent nature of places within the Humanitarian Programme.

9. A Community Support Programme could target humanitarian applicants who are not linked to a family, organisation or community in Australia — and who are more likely to settle in a non-metropolitan location. What are the advantages and disadvantages of this approach?

As noted by the Canadian Council for Refugees, private sponsorship is a key channel through which migrants settle outside major centres, "allowing more communities to benefit from the diversity and economic and demographic advantages that immigration brings."⁹ A CSP may provide an opportunity for rural communities to come together and support those in humanitarian situations, allowing their community to grow and flourish. There is strong interest in regional centres for increased humanitarian settlement.¹⁰

However, there are also a number of issues that may affect the success of such a program, including the lack of community services and social/economic disadvantage which may exist in non-metropolitan locations, as well as the potential for exploitation. Any proposal to settle humanitarian entrants in regional locations must be conducted with appropriate consultation and monitoring with organisations such as Migrant Resource Centres, Community Legal Centres and the local community.

Should the CSP include an Assurance of Support (AoS) requirement?

The LIV does not support the introduction of an AoS as part of any future CSP. The requirement for an AoS would further undermine the humanitarian nature of the program. It would also be inconsistent with other humanitarian visas, which provide an exemption from the Newly Arrived Residents Waiting Period ('NARWP').

The VAC is intended to partially offset the cost of resettlement, the cost of the HSS program, for which CPP entrants are not eligible. It is arguable that the VAC, particularly if it remains at the level trialled under the CPP, should be taken to cover any Centrelink support that might otherwise be covered by an AoS.

⁹ Canadian Council for Refugees, *Private Sponsorship of Refugees: Challenges and Opportunities* (April 2006), p 2.

¹⁰ See Refugee Council of Australia, *Review of the Humanitarian Settlement Services and Complex Case Support Programs*, p 2 <<http://www.refugeecouncil.org.au/wp-content/uploads/2015/04/1411-HSS-CCS.pdf>>

As noted in page 8 of the Discussion Paper, assurers are likely to be the community members or family of the entrant who (despite the contractual agreement between individuals and the APO) are effectively responsible for the sponsorship and support of the entrant. It is intended that the CSP program would involve measures to promote self-sufficiency and employment, such as through the sponsoring APO's networks.

Should these measures fail to result in employment and the individual or family require Centrelink support, an AoS would place a debt burden on the family of the entrant. This is an inappropriate outcome as it fails to recognize the particular situation of refugee and humanitarian entrants, and their overall benefit to the community, and may instead undermine their successful settlement in Australia. There is also a risk of breakdown of family relationships as a result of the debt, which may foster resentment and a view of the entrant as a 'burden'.

Additionally, many communities/individuals may find it difficult to meet the onerous requirements of an AoS where, for example, they are self-employed or recent entrants themselves. The imposition of an AoS (especially in conjunction with the high VAC) may thus make the CSP inaccessible to many, and further undermine its standing as a genuine, community-based humanitarian program.

What is the role of communities in contributing to the Community Support Programme?

13. What are the implications of applying a VAC to applications under a Community Support Programme?

14. How much should the VAC be and why?

As noted above, the VAC is intended to partially offset the costs of resettling a humanitarian entrant; however it should not be viewed as a cost-saving measure or a fee for service. Visa application fees for the entire process are approximately \$20,000 for an individual and over \$30,000 for a larger family group. Many communities and individuals viewed these costs as excessive, and this made the program inaccessible for a large number of people.

The VAC should properly be seen as a community contribution to assist in expanding the availability of humanitarian visas and covering some costs involved in the administration of a CSP. The VAC amount should not be directly linked to the cost of the HSS program or to Centrelink income amounts, as this creates an uncomfortable accounting exercise and devalues the other contributions made by refugees and humanitarian entrants.

If the VAC is to be the same amount as in the CPP then it is also appropriate that places made available in the CSP are in addition to the overall Humanitarian Program quota to ensure the program's standing is not undermined in the community.

It also should be reiterated to applicants and CSP proposers that such fees should not have to be repaid upon entrants' arrival or grant of the visa.

The LIV recommends a reduced VAC as part of a CSP if the places available are not in addition to what is currently available under the Humanitarian program quota. In the alternate, the VAC should not be increased above its current level if the places are in addition to the Humanitarian program quota.

15. What are the advantages and disadvantages of using a VAC in conjunction with an AoS?

The LIV does not support imposing both a VAC and an AoS in conjunction. These high costs could be viewed as deflecting Australia's commitment to resettling people in humanitarian need and create a perception of the CSP visa as sitting outside the humanitarian program. It may also place a high financial burden on the families and communities of entrants, further restricting a CSP to the well-resourced, and may negatively impact employment or settlement outcomes in the event of family relationship breakdown and by fostering tensions between entrants and assurers. The presence of an AoS remains likely to foster tensions, and may in fact do more damage than simply applying a mid-level VAC.

What settlement support should be available for humanitarian entrants under a Community Support Programme?

16. What settlement responsibilities should proposers under a Community Support Programme have and what undertakings should proposers be required to give?

The LIV recommends broad consultation with Humanitarian Settlement Services and Complex Case Support providers, relevant non-governmental organisations, Migrant Resource Centres, Status Resolution Support Services providers, potential sponsoring agencies/APOs and other stakeholders, as the successful implementation of any CSP will necessitate a sector-wide approach.

17. What are the benefits or challenges with having community members and organisations provide settlement support to humanitarian entrants under a Community Support Programme?

Direct community involvement in settlement support helps foster links between entrants and their community, promoting good settlement outcomes while reducing reliance on public resources and in turn providing for greater humanitarian investment. However, without appropriate oversight and investment, leaving settlement support provision to community members and organisations runs the risk of abuse or neglect.

18. How can entrants under a Community Support Programme be better assisted towards self-sufficiency as soon as possible after their arrival in Australia?

Any CSP should necessarily involve post-arrival support for humanitarian entrants, particularly in their first 12 months in Australia. Suggestions put forward by members include the establishment of a single organisation/program that assists CSP visa holders, in order to ensure consistency and beneficial long-term settlement outcomes, and providing and promoting useful information through websites/pamphlets/videos, similar to that provided by Immigration New Zealand.¹¹

¹¹ See <<http://www.immigration.govt.nz/migrant/general/generalinformation/refugee-protection/factsheets/videosforrefugeesandfamilymemberssettlinginNZ.htm>>.



Community Support Programme

Response to Discussion Paper
June 2015

Responses to questions for consideration

1. Should communities in Australia be able to identify people to propose for a humanitarian visa under a Community Support Programme?

A Community Support Programme (CSP) would build on the goodwill that currently exists in communities, as demonstrated through the Community Proposal Pilot (CPP). This goodwill is based upon the strong link in Australia, between the Proposer or Supporting Community Organisation (SCO) and the Applicants. Therefore, a foundation principle of a CSP would be for communities in Australia being able to identify people to propose for a humanitarian visa.

2. What are the key considerations that should determine whether a person or organisation can propose entrants under a Community Support Programme?

The key considerations would include:

- The immediacy & strength of the relationship between the proposer or organisation and the applicant
- The financial capacity of the proposer or organisation to support the applicant(s), including strategies to secure accommodation (immediate & medium-term) in a competitive rental market and the initial household set-up
- Experience with supporting family/community members who have relocated
- Strength of the social networks/infrastructure that the proposer or organisation can link with or are a part of
- Any proposed strategies that can be adopted to secure employment for the primary applicant
- Demonstrated long-term commitment to respond to the other expected settlement challenges that will be faced by the primary applicant AND other family members – orientation (new customs/new culture, banking, transportation) medical/dental, schooling & education, English language training, development of social networks

3. Is the APO model appropriate for a Community Support Programme?

A Community Support Programme (CSP) could be administered by either government, the current CPP based APO model or a hybrid of models as those operating in the Canadian Private Sponsorship of Refugees (PSR) Program.

A government administered model is more than likely to be administratively more cumbersome, costly (due to current government industrial / human resource infrastructure arrangements) and less responsive to community connectedness.

A hybrid model that includes a range of sponsorship groups, similar to that in Canada may result inadequate monitoring (leading to higher refusal rates) and higher administration costs (per application) to government, as identified in the PSR Evaluation Report (April 2007).

The CPP APO model is a single 'one-stop shop' that can be further refined to administer a CSP. The APO model is the crucial link between the Community and Government (The Department). The establishment of additional 'layers' within the system (whether volunteer-based or community/faith-based) would lead to higher monitoring/compliance costs for the Department and/or the APO.

4. What involvement could UNHCR and the Department of Immigration and Border Protection have in identifying people to propose for a humanitarian visa under a Community Support Programme?

A Community Support Programme (CSP) would only accept applicants who are mandated through the UNHCR. This ensures that the applicants have met the criteria for consideration.

The Department (DIBP) would ensure that clearances are obtained for security risks and health related issues (those conditions that pose a risk to the community) with respect to the applicants being appropriately verified. In addition, the Department would assist the APO's with all security and other relevant 'clearances' for the Proposer(s), prior to an application being lodged.

5. A Community Support Programme could be targeted towards applicants with humanitarian claims who are likely to settle more quickly upon arrival in Australia. What are the advantages and disadvantages of this approach?

In order for this approach to be considered, criteria would need to be developed to enable the identification/targeting of applicants with humanitarian claims who are likely to settle more quickly upon arrival in Australia.

Advantages:

- Achieve better settlement outcomes within a shorter timeframe:
 - Integration with and contribution to the community
 - Better employment prospects
- Reduce potential 'risks' associated with supporting the 'settlement journey' of the applicant(s) due to a break-down in the relationship between the applicant(s) and the proposer(s)

- Reduction in monitoring/compliance costs for both the Department and the APO
- Higher levels of cohesion within family groups and their communities
- Adds to the feasibility of increasing the annual intake target within the Programme

Disadvantages:

- A perception that a CSP is 'discriminatory' as it focuses on those that only pose a 'lower settlement risk'
- The challenges with adequately screening/identifying applicants who are 'likely to settle more quickly'

6. What are the concerns and risks with supporting humanitarian entrants who are highly vulnerable, such as ~~woman~~ women at risk or people subject to torture and trauma overseas, through a Community Support Programme?

The Community Support Programme (CSP) relies on the 'goodwill' and commitment of the Applicants' family members / community to support their settlement journey.

This is a task that requires a high degree of commitment and dedication. Our experience has been that most Proposers and/or Supporting Community Organisations (SCO's) have undertaken and delivered on these commitments without any question or reluctance.

However, IMS believes that accepting applicants who are highly vulnerable into a CSP would introduce a level of 'risk' to the Programme, which may have unfavourable consequences e.g. potential breakdown in the relationship between the Applicant(s) and Proposer(s).

In addition, including such Applicants would potentially increase the monitoring/compliance costs for both the Department and the APO.

Applicants who are highly vulnerable would be better suited to the relatively better/higher resourced (cost per Applicant/Family) Humanitarian Settlement / Settlement Services Programmes.

7. What are the concerns and risks with supporting humanitarian entrants who have serious pre-existing medical conditions through a Community Support Programme?

Our response is similar that in question 6.

We acknowledge that a 'Humanitarian' Programme should NOT be influenced by such factors e.g. serious pre-existing medical conditions.

However, the response and management of Applicants with serious pre-existing medical conditions will fall on the Proposer/SCO and the Australian Health Care system.

Our concerns are that Applicants within such health circumstances pose a 'significant risk' to the medium/longer term supportive relationship with the Proposer(s)/SCO.

This in-turn potentially translates to higher monitoring / compliance costs for both the Department and the APO, notwithstanding the cost impact on the Australian Health Care system. This is regardless of whether the Applicants have access to private health care.

8. Humanitarian applicants under a Community Support Programme could receive priority processing. What are the advantages and disadvantages of this approach?

IMS envisages that a Community Support Programme would include Visa Application Charges (VAC) similar to that currently under the Community Proposal Pilot (CPP).

Consequently, Proposers & Applicants would expect priority processing.

Advantages:

- Proposers/SCO's (and Applicants) accept that a fee is paid to enable an application to receive a 'higher priority' with processing
- The CPP has operated in this manner, with a 'general acceptance' within the community of the 'cost' of priority processing
- This acceptance is demonstrated by the strength in demand within the CPP in 2015/16
- That families within the community are already making financial contributions to their family members in 'refugee/humanitarian' circumstances and the payment of a VAC is a medium to longer term strategy to avoid such monetary costs

Disadvantages:

- The perception that a CSP is 'not accessible' to many members of 'emerging' communities. However, what is not acknowledged is that it is arguably 'less likely' that emerging community members have the practical capacity and 'lived experience' to support the settlement journey of an Applicant and their family.
- That a CSP is NOT viewed as being quite 'separate' to Australia's 'primary' Humanitarian Settlement Programme
- That a CSP is, in effect, a visa that is obtained through a 'financial' transaction and by 'association' no different to payments made to 'people smugglers'

9. A Community Support Programme could target humanitarian applicants who are not linked to a family, organisation or community in Australia – and who are more likely to settle in a non-metropolitan location. What are the advantages and disadvantages of this approach?

The strength of the current Community Proposal Pilot (CPP) is the link between humanitarian applicants and their family/supporting community organisation (SCO) and community.

There are a number of 'non-metropolitan' areas designated by the Department of Social Services (DSS) as 'Welcoming areas' for refugees under the Humanitarian Settlement Services (HSS) Programme.

Advantages of targeting applicants with no family/community links, who are more likely to settle in a 'non-metropolitan' location:

- The 'initiative' shown by the applicant(s) and potentially their settlement success
- As a result of their tenacity and desire to succeed, the greater likelihood of gaining employment and consequently the reduction to the cost of government social support
- Businesses in 'Non-metropolitan' locations having access to applicants who are focussed on making a difference within the community
- Potentially resulting in more harmonious multicultural communities developing/expanding in 'non-metropolitan' areas

Disadvantages of targeting applicants with no family/community links, who are more likely to settle in a 'non-metropolitan' location:

- Introduces an element of significant 'risk' with settlement for applicant(s) who may not have a supportive family/SCO/community
- This initiative would be contrary to the evidence gathered through the CPP over the past two years
- The concept of a 'Welcoming community' is underpinned by the support initiatives delivered through the DSS funded Humanitarian & Settlement Services Programmes. Such initiatives, especially the HSS, would not be accessible for applicants under a CSP
- The challenges with developing criteria for determining/identifying applicants who are more likely to 'successfully settle' in a 'non-metropolitan' locations without access to family/SCO/community support

10. What implications would the use of an AoS have on the successful settlement of humanitarian entrants? How long should the AoS period last?

11. What implications would the use of an AoS have on a humanitarian client's proposer in Australia?

An Assurance of Support (AoS) is a mechanism that will reinforce the expectation that a Proposer is to ensure that an applicant progresses towards a regular income stream and become less/not dependant on the Social Service system.

It must be noted that there are many 'drivers' to applicants being successful in gaining a regular income stream – e.g. employment market conditions, matching skills and vacancies, the changing workforce and skills base in Australia.

Evidence to date from the Community Proposal Pilot (CPP) is that most Proposers actively encourage applications to gain an independent and regular income stream, in order to move away from income support through Centrelink.

However, not all applications have a primary applicant who could successfully achieve an independent and regular income stream – due to age, lack of skills etc.

The achieving of an independent and regular income stream, although important, is only one of the many elements of successful settlement.

Therefore, IMS questions the value of an AoS being incorporated into the operations of a Community Support Programme (CSP), notwithstanding that it will be an additional 'less controllable' cost to the Proposer.

12. How can people proposed under a Community Support Programme be better assisted into employment?

Ideally, the Proposer under a Community Support Programme (CSP) would include an 'employment strategy' as part of the Application.

This strategy would ensure that plans for orientation, training/education and skills development is explored, leading to an assurance of employment, prior to the lodgement of an application.

However, not all Proposers have the capacity and/or the expertise to explore and develop such initiatives.

Therefore, as a practice/procedure under a CSP, the Proposer/SCO could work with jobactive, as part of completing their application.

jobactive is the Australian Government's new employment services, designed to better meet the needs of job seekers and employers and improve job outcomes.

However, a CSP must recognise that NOT all primary applicants will have the capacity/ability to secure ongoing employment.

13. What are the implications of applying a VAC to applications under a Community Support Programme?

The current Community Proposal Pilot (CPP) includes a VAC, and is now in its third year of operation. The demand for places appears to have significantly increased in the 2015/16 year. (Expressions of Interest are yet to be assessed).

Although not all parties agree/support a VAC, anecdotal evidence suggests, as quoted in the discussion paper, the total VAC amount is less than some people are remitting overseas to support family members in humanitarian situations.

Consequently, resettlement through a Community Support Programme, with a VAC would present a cost-effective means of caring for family members.

14. How much should the VAC be and why?

The Community Support Programme (CSP) can be viewed as an alternative strategy to Australia's response to the global humanitarian challenge. Perhaps a CSP should 'be considered as a 'family/community reunion' within a humanitarian context, rather than purely a 'Humanitarian' Programme.

Australia's capacity to accept refugees/humanitarian entrants must be viewed within the context of its ability to provide appropriate settlement support (HSS & SSP), as well as the current national employment & accommodation market conditions and the ability/capacity of the current Social Service systems (income support / medicare).

The Canadian model is based on the Proposer taking responsibility for all support for Privately Sponsored Refugees (PSR's), including the provision of financial support.

IMS has significant concerns regarding this model – primarily the 'risk' of family relations breakdowns and its impact on the ongoing welfare of the applicant(s).

The 'safety-net' provided through the Centrelink Social Services system has been invaluable in ensuring the success of the current Community Proposal Pilot (CPP).

However, IMS acknowledges the 'cost impacts' associated with such a safety-net, with the context of the current Australian economy, especially of a CSP increasing the number of visa's offered.

A CSP would therefore need to incorporate a VAC that significantly off-sets the social service costs associated with the Programme, particularly if the annual targets are to significantly increase. (Note that the target in the Canadian model was 6,300 for the 2014 year).

The quantum of the VAC needs to be informed by the Social Services costs incurred within the CPP over last two year period. A focus on each individual family and the support costs incurred, together with the proportion of families who transitioned to be financially 'self-sufficient' and the associated time-frames would need to be determined/analysed to inform our the quantum of the VAC.

Again, the Canadian model has quantified the financial allowances / capacity that Proposers (Settlement Agreement Holders and other associated groups) must demonstrate.

The VAC would therefore be representative of:

- The cost of social support based on the Applicant family composition (whether it is a full or partial cost recovery to be determined)
- The cost of the Department's salary and associated administrative costs for the Programme (whether it is a full or partial cost recovery to be determined)

- Overseas Processing costs (whether it is a full or partial cost recovery to be determined)

Therefore, a VAC could ensure the achievement of as close to a 'cost neutral' Programme.

However, as part of a commitment to service assurance, a CSP would also establish timeframe benchmarks at each of the overseas posts:

- Application received at overseas post
- Approximate date of interview
- Approximate date for completion of verifications – circumstances, security, medical, other
- Approximate date for an Application outcome –acceptance/refusal
- Approximate date for Visa issuance & exit permits
- Approximate departure date

The APO is kept informed of the above progress. The APO liaises with the Proposer / SCO accordingly.

15. What are the advantages and disadvantages of using a VAC in conjunction with an AoS?

Based on our responses to questions 10, 11 & 14, a VAC would be the most appropriate mechanism for a Community Support Programme (CSP).

IMS maintains that an AoS will not deliver any significant additional benefits to a CSP, over and above a VAC. Rather it would be an unnecessary additional cost imposition on a Proposer / SCO.

16. What settlement responsibilities should proposers under a Community Support Programme have and what undertakings should proposers be required to give?

The undertakings that Proposers are required to give under a Community Support Programme (CSP) are comprehensively outlined in the Template for reporting on Client Outcomes, currently incorporated into the Community Proposal Pilot (CPP).

These outcomes apply to both Proposers (Families), as well as to Supporting Community Organisations (SCO's).

In addition, IMS proposes that a CSP include more tangible strategies for:

- Medium/longer term accommodation
- Employment strategies for the Primary applicant (if appropriate, based on age, skills level)
- A more comprehensive initial and medium term Settlement Plan

17. What are the benefits or challenges with having community members and organisations provide settlement support to humanitarian entrants under a Community Support Programme?

The benefits far outweigh any challenges associated with having community members and/or organisations provide settlement support under a Community Support Program (CSP), as has been evidenced by the Community Proposal Pilot (CPP) over the past two years.

This linkage is one of the primary influencing factors with the success of the CPP, and would seamlessly transfer to a mainstream CSP.

18. How can entrants under a Community Support Programme be better assisted towards self-sufficiency as soon as possible after their arrival in Australia?

An initiative that could be implemented is the development of a standard initial orientation program, delivered over a short time period by the APO. This would be a program developed by the APO consortium.

The sessions would be attended by both the Proposer/SCO and the Applicant(s). Interpreters would be engaged to ensure clear understanding. Expected outcomes would be identified and achievements measured and reported through the quarterly reporting template.

s. 47G(1)(a)

We would like to thank the Department of Immigration and Border Protection for taking the initiative to draft the discussion paper for a Community Sponsorship Programme. We study the proposal and in general it looks it touch most of the required element and so we as organisation generally support the proposal that the discussion paper contain, especially the proposed Programme will provide the communities in Australia with additional option for proposing their family and community members overseas for resettlement in Australia. In doing so the Australian Government will has the option to resettling more humanitarian entrants with lower cost without compromising their settlement prospects.

In Summary the following are our organisation comments:

We would like the Department of Immigration and Border Protection (the Department) to keep the APOs and prefer it will be approached by the Australian resident family members of the applicant who are willing and able to provide the settlement support required to keep the process much smoother, faster and straight forward.

We would like the Department to keep the Visa as Humanitarian Visas with all its requirements such as people proposed are subjected to persecution and discriminations.

We would like the Department to include an Assurance of Support (AoS) requirement in the Programme and we support the bank guarantee as well to make the Programme successful and as outline by the Proposal. We prefer a ten-year (AoS) with the amount of bank guarantee as outline in the Proposal.

The Department can keep the principal of VAC as it has been applied in the Pilot Programme with a modification of the mount of money to be implemented to cover the cost of this visa like the skill migrant visa, which means that the entrant has to support his/her family financially for at least two or may be three years when they enter Australia with a view to apply minimal cost to the Australian Government.

The Department can keep the same requirements that applied in the Pilot Programme for the Community Support Programme. That is mean keeping the Support and the Services that must be provided by members of families of the entrants in Australia to the entrants as in the Pilot Programme but for the length of the Proposal Community Support Programme not for only one year like in the Pilot Programme.

We are happy to discuss any further issues to more develop the Programme and get it started in the future.



Community Support Programme Discussion Paper, June 2015

Melaleuca Refugee Centre Response

July 2015

Melaleuca Refugee Centre Torture and Trauma Survivors Service of the NT Incorporated is a community-controlled, not-for profit association operating out of Darwin. The association was first established in 1996 to cater for the small number of refugees and asylum seekers wanting to settle in the Northern Territory. In 2002 it expanded and became known as Melaleuca Refugee Centre. Melaleuca Refugee Centre is the NT member of the Forum of Australian Services for Survivors of Torture and Trauma (FASSTT) and operates the HSS contract for Darwin.

Melaleuca Refugee Centre provides a range of services to people of refugee and migrant background. The organisation offers an integrated approach addressing settlement, wellbeing and community needs by hosting a range of activities and programs under the same roof. These services and activities include:

Early Settlement Support

Melaleuca's Early Settlement Program (HSS) provides essential case management and provides information and support to people granted humanitarian visas to ensure their initial settlement needs are met. The range of services includes:

- Case Coordination
- Housing Assistance (STA and LTA)
- Provision of initial information and
- Orientation to services, organisations and amenities (such as schools)
- Accompaniment to sign-on appointments (Centrelink and health checks)
- Recruitment and training of volunteers
- Referrals

Counselling

Counsellors at Melaleuca work under the Torture and Trauma (T&T) Recovery framework with refugees and asylum seekers. This framework understands the link between what humanitarian settlers have been through, the types of issues and behaviours refugees may present with and how to work in a way that promotes recovery and minimises the risk of re-traumatisation. Melaleuca's counselling services include:

- Torture & Trauma Counselling
- Child and Family Counselling
- Youth Support
- School Programs
- Group work

- PASTT Client Referral

Community Development

Melaleuca's community development program empowers individuals, families and communities from refugee and CALD backgrounds. The program is aimed at strengthening the link between CALD/refugee communities and the wider community through facilitating collaborative partnerships to make connections, share their knowledge, skills, ideas and actively engage with issues affecting their lives. Melaleuca delivers a range of community development initiatives such as:

- Families in Cultural Transition (FICT)
- Tips & Ideas on Parenting Skills (TIPS)
- Welcome to Country project
- Auspicing of 'Football without Borders

Melaleuca also facilitates community engagement and cultural showcasing through a range of strategies including coordination and facilitation of community events such as the World Refugee Day Festival and Harmony Day.

MRC works in partnership with other service providers and maintains active collaborative networks such as the Refugee Support Network. These formal networks provide an opportunity to share information, deepen understanding of current dialogue, explore resource-sharing options and strengthen the sectoral collaboration for improved service provision.

The Training Program

Training and education is integral to Melaleuca's commitment to improved understanding of how trauma can affect people and the many issues people of refugee background face when they come to a new country and during settlement. We offer professional development opportunities to staff and volunteers working in government and non-government organisations. The effect of trauma and torture on health and well-being, relationships and working life is not to be underestimated. Our training workshops and presentations are aimed at increasing the range of skills, understanding and strategies available to volunteers, staff, service providers, and practitioners when working or associating with people from refugee and/or traumatic backgrounds.

An opportunity to respond

Melaleuca is pleased to have an opportunity to respond to the *Community Support Programme Discussion Paper*. This response is drawn from our own experience and is not linked to the findings or experience of the Community Pilot Program. In this way our response is limited. We understand that STARTTS has made a submission drawing on collective experience of FASST agencies nationally (of which we are a member). Since our work includes operation of services for newly arrived humanitarian entrance through HSS we feel it necessary to make some additional comments.

Summary of Recommendations

1. An *independent, high quality evaluation of the CPP* is required prior to expansion of the program.
2. “*The strength of our skilled framework has enabled the accommodation of family and humanitarian migration while still maintaining significant overall gains. This is a testament to Australia’s position as a leader in managing migration policy.*”¹ If the CPP programme is to be continued or expanded as the CSP then Melaleuca suggests that Australia continue to provide high quality settlement support to some of the most vulnerable people in the world and not just to individuals who can afford to pay, and who may be assessed as having low levels of support needs. The CSP visa quota should be allocated in addition to the annual allocations for the Humanitarian Programme places not deducted from it.
3. If the CSP is introduced then it should be *available in all States and Territories*.
4. It is essential that *proposers are fully aware* of their responsibilities, current Government policies and procedures; the terms and conditions that they are entering into, and obligations associated with the role.
5. It is essential that all humanitarian entrants (including those entering via the CSP) have *access to the full range of Humanitarian settlement services* including counselling, case management and orientation delivered to a national standard. These specialist services enable people to deal with the physical, psychological and social impacts effects of trauma and torture which in turn affect their ability to contribute fully to society. It is likely that since these applicants are entering Australia on a Humanitarian Visa they will also have a history of trauma and therefore require, and deserve, intensive initial support.
6. It would be important for the CSP humanitarian entrants to be introduced to *jobactive* providers who have the most experience in dealing with people from Refugee background. While the proposer may have appropriate knowledge and experience in assisting new entrants to settle, they may not have the capacity to provide the full range of specialised assistance required – particularly concerning entry into the labour market.
7. Becoming *proficient in English* is essential to functioning effectively in Australian society and crucial for effective settlement. This should not be sacrificed for short term financial reasons. Provision of full allocation of AMEP hours at no cost is essential.
8. Melaleuca does not support the introduction of *Assurance of Support (AoS)* as it imposes significant additional costs on the proposer with negative effects. For example, proposers are likely to be supporting other family members overseas. Having to pay AoS could significantly affect their ability to provide ongoing support to others who are unsafe and in dire need.
9. It is difficult to ascertain which applicants are likely to settle more quickly if people are from a refugee background. Often complexities appear once they have entered the country. It is necessary that there is a *contingency plan* or ‘*safety net*’ which is not dependant on family financing. Access to assistance through Centrelink without waiting periods is required.
10. Consideration should be given to the *quality of information* that entrants receive prior to arrival so that they are fully informed of their obligations and the contract that they are entering into.
11. The Administration fee chargeable by the APO should be a capped figure (if it is not already) and robust governance structures must be in place.

¹ The Economic Impact of Migration, Settlement Council of Australia (SCOA), 2015

12. It is stated in the discussion paper that the VAC is “*not a payment*” for a visa or “*for processing the application*”. The payment offsets some Medicare and perhaps employment related costs. The VAC is also “*a filter, by discouraging speculative applications and encouraging humanitarian clients to submit complete and robust applications, which assist the department to assess them with priority.*” The use of the full amount of VAC money received should be transparent. Consideration could be given to paying surplus VAC or to pay back unanticipated funds owed to Government during the first two years of residency.

Responses to questions

Question 1: Should communities in Australia be able to identify people to propose for a humanitarian visa under a Community Support Programme?

The CSP program offers the opportunity for some families to propose members of their family for humanitarian visas. The costs are high. This means that only families with adequate financial resources, and who have probably been established in Australia for some years can apply for assistance to bring family members into the country through the CPP. At its base there is inequity in the process and proposed associated conditions. For example:

- Without a high quality external evaluation of the CPP the effectiveness of the program, associated impacts, and the social and economic consequences remain unproven. High program utilisation rates attest to the distress and high levels of concern for families still residing overseas in situations of deprivation, danger and distress rather than the effectiveness of the program itself.
- Recently arrived families/communities who are still establishing themselves financially would be disadvantaged since high costs would probably preclude them from program involvement without going into high levels of debt.
- The definition of ‘viability’ (pg8) relates to short-term cost-saving for government within the humanitarian sector. The statement that “*CPP expansion may be more viable if it includes a mechanism to discourage entrants from accessing welfare benefits, and instead encourages them towards employment and self-sufficiency*”. Melaleuca’s experience shows that humanitarian entrants wish to make the most of new found opportunity for education and employment. Whilst they are a cost to the government in the short term, the difference is made up through participation in the social and economic community over time. In a recent report Settlement Council of Australia stated:

“This report offers the first window into the true impact of migration on our economy. Through a detailed analysis of the effect on each of our economic indicators a story unfolds — migration is one of our greatest economic assets. It will be the unsung hero of our future prosperity. By 2050, migration will contribute 40 per cent to GDP in a multi-trillion dollar economy, with a per capita GDP benefit of 5.9 per cent.....

...However, we should also recognise that we have achieved such success within a balanced program. The strength of our skilled framework has enabled the accommodation of family and humanitarian migration while still maintaining significant overall gains. This is a testament to Australia’s position as a leader in managing migration policy. No other developed society can lay claim to the success that Australia has had with mass migration. In an increasingly uncertain global environment, policy must continue to innovate and push boundaries.”²

• ² The Economic Impact of Migration, Settlement Council of Australia (SCOA), 2015

If the programme is to be continued, Melaleuca recommends that the CPP quota should be in addition to the annual allocations for the Humanitarian Programme places not deducted from it. .

Question 2: What are the key considerations that should determine whether a person or organisation can propose entrants under a Community Support Programme?

Key considerations include:

- It is essential that the proposing organisation has skills and experience working with people from refugee backgrounds and that they have positive connections within the refugee related sector.
- Demonstrated capacity to provide the range of services required to sufficient standard.
- That they are financially viable and have adequate capacity to provide this services and do not see this program as a money-making opportunity (for example by placing high administrative costs on their services and then asking this of the families/individuals concerned).
- A clear understanding of the challenges that refugees face during the first two years after arrival. All new arrivals will have experienced, trauma, displacement and loss – specialist assessment services are required to clarify areas of specific need.
- A full understanding of settlement issues and the settlement and community services sector, as well as contacts connections with CALD communities and groups
- Strong volunteer access (which maintains high standards of screening and training).
- Full understanding of the use of interpreters.
- Deep understanding of working with people from CALD backgrounds.
- Skills and systems for case management and importance of record keeping, privacy and confidentiality.
- Capacity to provide follow through and support when required; for example when health problems that were not diagnosed before arrival emerge – that is tracking of client recall when necessary.
- If a family is applying on behalf of another family member then it is important that the stability of the household be considered including the financial viability of that household.

A key consideration is how the activities of this person/organisation are monitored so that the entrants receive the range of services required. As you are aware within the HSS there are clear policies, procedures and continuous reporting requirements to ensure that refugees receive the full range of services required to a standard.

Question 3: Is the APO model appropriate for a Community Support Programme?

The APO model can be an appropriate model for the Community Support Programme however it is essential that the role and responsibilities of the APO are clear.

Since there is no payment for services from Government the mechanisms of accountability and monitoring of the service standards are unclear. There is a risk that people will not be provided with

the full range of specialist services that they require due to financial, time and capacity constraints. This could lead to delayed settlement and employment.

Clarity on the administrative charge payable to the APO is required. For example is this consistent between providers? Is it capped?

Question 4: What involvement could UNHCR and the Department of Immigration and Border Protection have in identifying people to propose for a humanitarian visa under a Community Support Programme?

Given that this programme is intended for proposers with family and community connections to the people they are proposing for a humanitarian visa, it is unclear what the role of UNHCR or the Department of Immigration and Border Protection could be, particularly given the high costs and expectations of the role of the family/community to pay all expenses and support the settlement of the new entrants.

The method of doing comprehensive assessment of the potential entrant is unclear. There could be a role here for UNHCR in this. The paragraph below points to the need for such assessment:

“Similarly, the obligation to provide settlement support to entrants under the programme may place stress on proposing communities, organisations, or families. In this context, it should be considered whether it is appropriate for a Community Support Programme to be directed towards refugees and other people in refugee-like situations who also have characteristics which make them likely to settle quickly and positively in Australia, and to place restrictions on applicants that are more likely to require more intensive settlement support upon arrival. These could include age, English language, or stricter health requirements.” (Discussion Paper pg. 7)

Developing assessment criteria based on age (which is often uncertain), language ability, and stricter health requirements etc. are quite discriminatory and at odds with humanitarian values which have informed existing humanitarian program. The evidence base for the statements in the quotation above is unclear.

It is recommended that more attention be given to developing (together with settlement agencies) a comprehensive approach to assess whether clients have high needs and the capacity of families to support them.

Question 5: A Community Support Programme could be targeted towards applicants with humanitarian claims who are also likely to settle more quickly upon arrival in Australia. What are the advantages and disadvantages of this approach?

Determining who will settle in Australia more easily is not always possible. People come from varying backgrounds and may react differently to the challenges of settlement in a new country, community and family context. There should always be assistance available to support people who are assessed as experiencing greater difficulties – for example emerging health issues, or deterioration of proposer/ new entrant relationship. It is in the interest of local communities and local/regional economies for new arrivals to settle in and engage positively as quickly as possible. All people require a minimum level of orientation, advice, support and familiarisation in order to start functioning in a new environment – especially when there are differences in laws, culture, values and some of people’s basic conceptual frameworks are challenges; for example e.g. gender roles.

Advantages:

The program does provide a method for fast tracking humanitarian settlement in Australia. Other advantages are questionable due the discriminatory nature of assessing eligibility using these criteria. Some people may be able to settle into Australia faster and with less support if they are for example: healthy, speak English and are younger. These are however Humanitarian entrants and refugees with complex backgrounds and higher support needs as a result. Every individual is different.

Disadvantages:

The rationale for the Humanitarian Program is to support those people who are most in need of protection. Targeting applicants who are perceived as more likely to settle easily contradicts this basic premise.

This program gives preference to those who have access to financial resources, rather than those who may have a greater need for protection. It is necessary that if this scheme is to be extended the number of places being offered for CSP should be in addition to the annual quota for the overall Humanitarian Program.

Question 6: What are the concerns and risks with supporting humanitarian entrants who are highly vulnerable, such as women at risk or people subject to torture and trauma overseas, through a Community Support Programme?

Melaleuca does not have direct experience of the CSP. We do have experience through delivery of our HSS program, the Family Harmony, family and community training program and our counselling services. We know the situations which can arise for people when they arrive in a new country and carry with them psychological, social and physical scars of their past life. Torture and trauma effects run deep and effect physical, mental and societal functioning. People often need intensive and long-term support. Melaleuca recommends that Australia continue a balanced program of migration as stated in Question 1 and that we continue to bring to Australia people who are amongst the most vulnerable in the world. As noted previously the number of visa places offered through CPS should be in addition to the numbers currently being offered through the Humanitarian program as a whole.

Melaleuca, as a member of the Forum of Australian Services for Survivors of Torture and Trauma (FASSTT) believes that it is essential for all humanitarian entrants (including those entering via the CSP) to have access to support services. FASSTT services enable people to deal with the effects of trauma and torture. It is highly possible that since these applicants are entering Australia on a humanitarian visa they will have a history of trauma and therefore require support.

Supporting humanitarian entrants (who are highly vulnerable, such as women at risk, or people subject to torture and trauma overseas) through a CSP without adequate resources and assistance to do so could put the individual/family or organisation under significant strain. There are risks such as:

- the potential for disharmony or breakdown of relationship between proposer and entrant;
- breakdown of family relationships;
- families who have been supporting other members of their family overseas may no longer be able to support other members of the family who are still in dangerous situations abroad because of the financial strain.

Melaleuca considers that there should be some form of support for entrants who require assistance. Often new issues emerge after arrival: For example: presence of undiagnosed chronic illnesses or other conditions which could not have been anticipated with limited resources in refugee camps. Complex case referrals have had to be made during the first six months of arrival.

Question 7: What are the concerns and risks with supporting humanitarian entrants who have serious pre-existing medical conditions through a Community Support Programme?

Refer to question 6.

Basically the concern is that people will not receive the intensive and essential preliminary services and support that they require based on professional and specialist assessment.

Question 8: Humanitarian applicants under a Community Support Programme could receive priority processing. What are the advantages and disadvantages of this approach?

The advantages are that families with enough money saved (or borrowed) can bring some of their family members over more rapidly than those who are coming in via the Special Humanitarian Program.

It is our understanding that visas granted through the current CPP are taken from the Special Humanitarian Programme visa allocation. This situation further disadvantages those who are not in a position to pay for the process. The result is less places available and potentially longer waiting times for some of the most vulnerable.

As stated above: The CSP visa quota should be allocated in addition to the annual allocations for the Humanitarian Programme places not deducted from it.

If the CSP programme is to be continued or expanded in Australia we suggest that it is essential to continue to provide humanitarian visas high quality settlement support to refugees living in extremely challenging situations not just to:

- families who can afford to pay for relatives, and
- those assessed as having low levels of support needs and higher levels of work readiness.

Question 9: A Community Support Programme could target humanitarian applicants who are not linked to a family, organisation or community in Australia – and who are more likely to settle in a non-metropolitan location. What are the advantages and disadvantages of this approach?

Significant numbers of humanitarian entrants are already being settled in non-metropolitan locations. Generally people like to be close to others with whom they can speak their own language when they are settling in to new environments. Regional settlement brings in fresh skills and capacity into areas which may benefit from additional population.

Current Humanitarian Programme regional allocation levels and planning processes are derived with consideration to balancing refugee arrivals from overseas and allocating 'unlinked arrivals' to particular locations in Australia (often regional). Both of these components have been beneficial in for refugee community development. Community development considerations are not included in the CSP document.

Regional communities can be very welcoming and supportive. It is unclear however how costs related to settlement services would be paid and how specialist trauma and torture counselling and other specialist services would be accessed. It is essential that local service providers have sufficient knowledge and experience of settlement and the unique requirements of refugees during the initial settlement phase. Appropriate English language training and other interpreting support could also present as significant issues.

Question 10: What implications would the use of an AoS have on the successful settlement of humanitarian entrants? How long should the AoS last?

As noted above the statement that *“CPP expansion may be more viable if it includes a mechanism to discourage entrants from accessing welfare benefits, and instead encourages them towards employment and self-sufficiency”*. Whilst they are a cost to the government in the short term, the difference is made up through participation in the social and economic community over time.

We do not believe that the “Assurance of Support” to enter the Australian workforce is necessary. Melaleuca considers humanitarian entrants will settle more effectively and make a more significant long-term contribution to Australian society and economy if they are given the opportunity and time to:

- be introduced to their new environment
- learn about Australian law and culture
- learn or improve English language skills, and
- where possible, find employment in a field relevant to their skills and experience

The alternative is taking on any role (perhaps without sufficient trauma recovery) to start bringing in money to cover costs associated with AoS. There are associated risks to mental health and physical well-being and this may not be the best solution for the person, family or community concerned.

An AOS may lead to greater risk of stress in the relationship between the entrant/s and proposer/s due to imposition of significant additional costs on the proposer. This could put tension on the relationship and pressure on the entrant/s which could also inhibit the person’s adaptive, recovery responses and learning capacity. Any breakdown in the relationship is likely to have a negative effect on the successful settlement of the humanitarian entrants.

Given the high cost of rental accommodation in many areas in Australia, it may be difficult for new arrivals to find their own accommodation unless they had work. They may continue living with the proposer for longer than originally intended. This may limit independent action, and self-sufficiency, which are cornerstones of the HSS program.

Question 11: What implications would the use of an AOS have on a humanitarian client’s proposer in Australia?

The cost of bringing family (or friends) to Australia on CSP includes but is not limited to: the visa application charges (VAC), airfares, medical assessments, accommodation, basic household goods on arrival and clothing.

Although Melaleuca does not have direct experience of this program we understand that some proposers have taken out significant loans to be able to cover CPP costs. The introduction of an AoS in addition to these costs would significantly increase the financial burden on the proposer, affect their own ability to function and move ahead financially and affect the level of support that they may have been providing to other family members who are still overseas – where “a little bit can go a long way”. The increased level of debt and financial burden could have significant negative impacts for families who may be finally establishing themselves in Australia.

While the proposer may have appropriate knowledge and experience, they may not have the time or resources to address adequately the full range of needs associated with early humanitarian settlement. They also may not have the specific knowledge required to assist new entrants to recover from Trauma or enter into the Australian labour market in an area matched to the skills and experience of the new arrival.

This arrangement has potential to put undue stress on both proposer and new arrival and to have flow on effects.

Question 12: How can people proposed under the Community Support Programme be better assisted into employment?

As noted above: Melaleuca considers humanitarian entrants will settle more effectively and make a more significant long-term contribution to Australian society and economy if they are:

- given the opportunity and time to be introduced to their new environment
- assisted with Trauma recovery
- learn about Australian law and culture
- learn or improve English language skills and, where possible
- provided with initial, intensive support for job-readiness
- find employment in a field relevant to their skills and experience

They should also be introduced to *jobactive* services which have a background in service provision to culturally and linguistically diverse communities. We have found that this is a specialist area and that some providers are more qualified than others in this regard.

Question 13: What are the implications of applying a VAC to applications under a Community Support Programme?

As noted above: The cost of bringing family (or friends) to Australia on CS Program includes but is not limited to: the visa application charges (VAC) are considerable

Melaleuca is aware that community members send money overseas to support family members in humanitarian situations. As noted above applying a VAC, in addition to upfront and ongoing costs means that this programme is not attainable for many and has the potential for putting sponsoring families into significant debt.

As stated previously, the CSP visa quota should be allocated in addition to the annual allocations for the Humanitarian Programme places not deducted from it.

Question 14: How much should the VAC be and why?

It is stated in the discussion paper that the VAC is *“not a payment”* for a visa or *“for processing the application”*. The payment offsets some Medicare and perhaps employment related costs. The VAC is also *“a filter, by discouraging speculative applications and encouraging humanitarian clients to submit complete and robust applications, which assist the department to assess them with priority.”* The use of the full amount of VAC money received should be transparent. Consideration could be given to paying for special trauma and torture services with surplus VAC or to pay back unanticipated funds owed to Government during the first two years of residency.

As stated previously, the CSP visa quota should be allocated in addition to the annual allocations for the Humanitarian Programme places not deducted from it - particularly if the VAC is applied.

Question 15: What are the advantages and disadvantages of using a VAC in conjunction with an AoS?

The application of the AoS would introduce significant other costs and limit still further the potential for families on lower income, or less willing to get into debt to take advantage of this program and bring their families to Australia earlier.

Question 16: What settlement responsibilities should proposers under a Community Support Programme have and what undertakings should proposers be required to give?

Basically, if the Government is not funding this program it would be difficult to apply conditions or accountabilities.

Lack of ongoing monitoring and review of standards of service could be a significant issue.

The settlement responsibilities of proposers, and the time period they are expected to provide support (12 months) under the current CPP could be perceived as reasonable if:

- high levels of accountability were built into the program, and
- there were sufficient funding available to pay for costs of specialist services such as AMEP and T&T counselling

There needs to be a “safety net” if there are significant problems affecting the effective settlement of the new arrivals to ensure that people receive essential care and support. This could take the form of additional referral to HSS providers for additional settlement support, or to Complex Case management, or to Trauma and Torture counselling. Any entrants should undergo a comprehensive needs assessment in order to ascertain the level of support required in relation to the impact of their torture and trauma experiences should have access to appropriate services such as those provided by the members of the Forum of Australian Services for Survivors of Torture and Trauma (FASSTT), at any time after their arrival.

Proposers should be required to give an undertaking that they will support the new arrivals with the settlement tasks required to the best of their ability. However, this does not link to standards and policies such as those defined in the HSS program. HSS policies and procedures are stringent and supported by a monitoring and auditing program. This is of concern.

Currently there appears to be no mechanism for change in the circumstances of the proposer, such as: serious illness or loss of employment; entrants requiring a greater level of support than anticipated; or a serious breakdown in the relationship between the proposer and entrant/s.

Question 17: What are the benefits or challenges with having community members and organisations provide settlement support to humanitarian entrants under a Community Support Programme?

Benefits:

It is to be remembered that currently the volunteering component of the HSS program draws on considerable support from the CALD communities and the community in general. Volunteers can meet new arrivals at the airport, take them to their accommodation, even cook their first meal. They will sit with them when they are ill, take care of their children, provide support in times of need, help them to improve their English and work readiness skills, assist them with gaining qualifications and form enduring friendships over time.

CALD communities of origin provide the same level of ongoing voluntary support. They welcome, visit, introduce new arrivals to the broader community, and to the church community. They most often embrace them and make them feel truly welcome.

The benefits of community/family members provide settlement support is that they generally speak the language of the humanitarian entrants and understand the cultural and political issues. This element can depend on how long they have been in Australia and if they were born here or overseas. Family members in particular often have a close connection and relationship with the people they are supporting.

Challenges:

Most community members are incredibly busy. Some work two or three jobs, paying their way here and remitting money overseas. Many people are studying. The fact that they would enter into arrangements which put their families under stress and perhaps debt is not a measure of program success but an indication of the extent of their 'desperation' to be reunited with family members rather than have them languishing for years in a refugee camp. They are willing to make sacrifices.

This willingness to make sacrifices does not necessarily translate into being able to take on all of the responsibilities associated with settlement with minimal support. Specialised Settlement Services generally work hand in hand with community and family to ensure smooth transition and adequate care.

The benefit of having an organisation provide settlement support is that they can spread the load of the tasks required to support entrants to volunteers – who willingly assist without payment.

If an APO has a range of people to communicate with and little time to give to the activity (since they may not perceive their core business is to provide in depth case management) this situation could lead to inconsistent information and support, fragmentation of effort, and as noted above, lack of accountability.

Community members may have arrived long ago and may not understand the particular issues for humanitarian entrants and additional challenges they may face.

Question 18: How can entrants under a Community Support Programme be better assisted towards self-sufficiency as soon as possible after their arrival in Australia?

Please refer to the recommendations at the top of this document.

Thank you for the opportunity to comment.



Refugee Council
of Australia

DEPARTMENT OF IMMIGRATION AND BORDER PROTECTION

COMMUNITY SUPPORT PROGRAM CONSULTATION

The Refugee Council of Australia (RCOA) is the national umbrella body for refugees, asylum seekers and the organisations and individuals who work with them, representing 200 organisations and 1,000 individual members. RCOA promotes the adoption of humane, lawful and constructive policies by governments and communities in Australia and internationally towards refugees, asylum seekers and humanitarian entrants. RCOA consults regularly with its members, community leaders and people from refugee backgrounds and this submission is informed by their views.

RCOA welcomes the opportunity to provide feedback to the consultation on the Community Support Program (CSP) proposed to replace the Community Proposal Pilot (CPP). Over the past six years, we have consulted widely on options for increasing community involvement in refugee resettlement and written extensively about this in our annual submissions on the Refugee and Humanitarian Program.¹ In the three years since the then Immigration Minister Chris Bowen announced his intention to develop a private or community sponsorship program, we have received much community feedback on the CPP model.² This feedback has indicated that, while there is strong support for the addition of a private or community proposal component to the Refugee and Humanitarian Program, the CPP model has not provided a sufficiently accessible option for refugee community organisations and community groups wishing to become more closely involved in the resettlement process. In addition, a range of concerns have been raised regarding the insufficient focus of the CPP model on humanitarian needs.

This submission summarises the feedback received through RCOA's consultations as well as specifically responds to a number of the questions put forward in the discussion paper informing this consultation process. We also refer the Department to RCOA's 2012 submission³ on a pilot private/community refugee sponsorship program, which provides further information to inform the development of the CSP.

1. The potential benefits of a private or community proposal program

1.1. RCOA has advocated for a number of years for the introduction of a private or community proposal program as a component of the Refugee and Humanitarian Program. We believe that such a program could have a number of significant benefits both for people in humanitarian need overseas and the Australian community. Specifically, such a program could:

- Provide more opportunities for communities to become involved in identifying people who are in need of resettlement on humanitarian grounds and supporting their settlement in Australia;
- Provide additional resettlement opportunities at a time when global protection needs are escalating and an enormous gap remains between resettlement needs and available places;

¹ See RCOA's submission on the 2010-11 Refugee and Humanitarian Program, pp 37-45, 125-128 <http://refugeecouncil.org.au/r/sub/2010-11-IntakeSub.pdf>

² See RCOA's submissions on the Refugee and Humanitarian Program for 2013-14 (pp 33-35, 50), 2014-15 (pp 36-37, 43) and 2015-16 (pp 37-40, 47) – all available at <http://www.refugeecouncil.org.au/publications/intake-submission/>

³ Available at <http://www.refugeecouncil.org.au/r/sub/1207-Sponsorship.pdf>

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- Provide an alternative resettlement pathway for people in humanitarian need who have not been able to access resettlement through the United Nations High Commissioner for Refugees (UNHCR);
- Allow for a larger number of refugee and humanitarian entrants to be resettled in Australia than may otherwise be possible; and
- Provide an alternative and more flexible pathway to resettlement in Australia for people in humanitarian need who lack family connections in Australia and/or are unable to meet the eligibility requirements under Australia's other humanitarian and migration programs (e.g. extended family members for whom there is no visa option under the family stream of the Migration Program).

1.2. Since the introduction of the CPP, RCOA has received consistent feedback through our community consultations indicating that there is considerable interest in a private or community proposal program. Many community groups and refugee community organisations have highlighted their significant capacity and resources to propose people for resettlement in Australia and provide settlement support after their arrival. People from refugee backgrounds in particular have expressed a strong desire to become more closely involved in the resettlement process, with some pointing to the significant (often unpaid) assistance already provided to new arrivals by many refugee community groups.

1.3. At the same time, however, RCOA has received consistent negative feedback about many aspects of the CPP model. These concerns are outlined in the remainder of this submission. We wish to emphasise, however, that while some participants in RCOA's consultations have objected to the idea of private or community proposal in principle, the majority of negative feedback we have received has focused on the specific model of community proposal under the CPP, not the concept of community proposal per se. In other words, there remains significant interest in and support for the introduction of a private or community proposal program as a component of the Refugee and Humanitarian Program. As research by RCOA shows,⁴ refugee community organisations play a significant role in the settlement of new arrivals and more should be done to acknowledge and build upon these existing capabilities.

2. The CSP and the Refugee and Humanitarian Program

2.1. One of RCOA's principal objections to the CPP model is that visas granted under the CPP were deducted from Australia's existing Refugee and Humanitarian Program intake of 13,750 places annually. Some expressed the view that the CPP was intended to act as a cost-cutting measure rather than a means of expanding access to resettlement, as the program reduced the costs of resettlement to the Government without offering any additional resettlement opportunities. Many participants in our community consultations have commented that, given the high cost of community proposal to communities and the low cost to the Government, any visas granted under a private or community proposal program should be in addition to the existing intake.

2.2. Furthermore, the fact that people who are highly vulnerable or have complex needs may be excluded from or discouraged from applying under a community proposal program could skew the focus of the Refugee and Humanitarian Program away from those in greatest need of resettlement. To ensure that the Refugee and Humanitarian Program retains its primarily humanitarian character and continues to prioritise people for resettlement based on need, we strongly recommend that any future allocation for a private or community proposal program be delinked from the existing intake.

2.3. Given that a private or community proposal program carries a far lower cost for the Government, RCOA also believes that the number of visas available under the program could be significantly expanded under the proposed CSP. Depending on the costs involved, the option of leaving the CSP uncapped could also be explored.

⁴ The Refugee Council of Australia, *The Strength Within: The role of refugee community organisations in settlement*, 2014, available at http://www.refugeecouncil.org.au/r/rpt/1405_StrengthWithin.pdf

Recommendation 1

RCOA recommends that the annual quota for the CSP be delinked from the Refugee and Humanitarian Program intake.

Recommendation 2

RCOA recommends that the Australian Government explore options for increasing the size of the CSP beyond 500 places annually and potentially leaving the CSP uncapped.

3. Proposing people for resettlement under the CSP

- 3.1. In our 2012 submission on a pilot private/community refugee sponsorship program, RCOA identified three groups which could potentially be involved in proposing people for resettlement under such a program:
- Volunteer-based community organisations with a proven record in supporting refugee and humanitarian entrants to settle in Australia, such as Sanctuary refugee support groups;⁵
 - Organisations established by former refugees which have connections and provide various forms of support to refugee communities in Australia and overseas; and
 - Humanitarian and faith-based community organisations which may not have been established for the purposes of supporting refugees but have a social justice outlook, are involved in the delivery of social services and have a resource base which would make them well-suited to fulfilling the role of a sponsor group.
- 3.2. Under the CPP model, Approved Proposing Organisations (APOs) which had entered into a deed of agreement with the Department of Immigration and Border Protection worked with Supporting Community Organisations (SCOs) and individual proposers to identify people in need of resettlement, support their visa application and help them to settle in Australia. Feedback from RCOA's community consultations, however, suggests that most of the applications lodged under the CPP have come from individuals directly to the APO, rather than through or in partnership with an SCO. Indeed, it appears that the role of community organisations in the CPP has been relatively limited, despite the fact that (as noted in Section 1 of this submission) many have expressed a keen interest in becoming involved in private or community proposal.
- 3.3. RCOA believes that the limited involvement of SCOs in the CPP represents a lost opportunity, in that the significant resources, expertise and goodwill of organisations and groups keen to become involved in resettling people in humanitarian need is going to waste. A number of these groups were previously involved in proposing people for resettlement under the Special Humanitarian Program (SHP) but have had few opportunities to do so in recent years, due to SHP now being primarily allocated to people proposed by family members in Australia. Worryingly, we have received feedback indicating that some community groups have considered disbanding due to their lack of success with SHP applications. While the CPP could have provided an alternative means through which these groups could continue their work, evidently it has not done so.
- 3.4. In developing a model for the ongoing CSP, RCOA believes that careful consideration must be given to strategies for increasing the involvement of SCOs in community proposal. This should include clarifying the role, expectations and responsibilities of SCOs; reforming the CPP model to address potential barriers to the involvement of SCOs (see Section 5 of this submission); and determining the extent to which the CSP should operate as a family reunion program as opposed to a general community proposal program (see Section 7).
- 3.5. During the life of the CPP, RCOA received feedback indicating that some people who lived outside one of the four areas in which APOs were operating (Adelaide, Melbourne, Sydney and Wollongong) had been unable to find an APO that was prepared to accept their application. While we understand that the program may have had limited scope during its pilot stage, we believe that this could have

⁵ Sanctuary groups exist in a number of regional cities in NSW, Queensland and Victoria. See, for example, Sanctuary Australia Foundation, based in Coffs Harbour: <http://www.sanctuaryaustraliafoundation.org.au>

significant implications for the forthcoming CSP, particularly if one of its future aims is to encourage settlement in regional areas.

- 3.6. It is RCOA's view that, in order to make the most of community capacity to assist with resettlement, the CSP should be accessible across the country in both metropolitan and regional areas. If the CSP continues to rely on an APO model similar to that in place under the CPP, the network of APOs will need to be significantly expanded and/or existing APOs will need to develop their capacity to support applications made by people living outside their area of operation.
- 3.7. Alternatively, a different model of proposal could be considered whereby applications for community proposal need not be lodged through an APO. While working with an APO may be preferable for some individuals and groups, it could be disadvantageous, impractical or unnecessary for others. For example, the involvement of APOs significantly increases the upfront costs of the program, as APOs charge a processing fee in addition to the Visa Application Charge (VAC) levied by the Department. Additionally, some community groups have many years of experience in proposing refugee and humanitarian entrants for resettlement and would be eminently capable of lodging applications and providing settlement support without the assistance of an APO.
- 3.8. RCOA also wishes to note that individuals or groups who are sponsoring people to migrate to or resettle in Australia under a range of other visa streams are not required to apply through an approved organisation, even though they may have obligations similar to those of proposers applying under the CPP (such as payment of substantial VACs and provision of settlement support). In some circumstances, we believe it would be appropriate for proposers to be able to apply directly to the Department rather than lodging applications through an APO, so long as they are able to demonstrate their capacity to meet their obligations as proposers. The introduction of an Assurance of Support (AoS) model (discussed in further detail in Section 5) could provide an alternative means of managing proposer obligations in cases where an APO is not involved.
- 3.9. The development of partnerships between proposing organisations, whereby groups with complementary expertise and resources could partner to meet their obligations as proposers, could also provide an alternative to the APO model. For example, larger faith-based communities which may be well-placed to provide some of the service infrastructure and material and human resources needed to assist in supporting people who are resettled could work in partnership with a smaller ethnic community organisation or groups of individual proposers who can provide the cultural and settlement expertise and practical links with refugee communities in Australia and overseas.
- 3.10. Regardless of whether proposers apply independently or through an APO, monitoring and accountability mechanisms must be in place to ensure that people proposed under the future CSP receive the support they need to settle in Australia. RCOA has elsewhere recommended⁶ that people proposed under the SHP receive routine needs assessments during the initial period of settlement to ensure that they are receiving adequate on-arrival support and suggests that a similar mechanism be introduced for people proposed under the CSP.

Recommendation 3

RCOA recommends that the Australian Government work with refugee community organisations and other community groups to clarify the role of SCOs in the CSP and facilitate greater involvement of these organisations in the program.

Recommendation 4

RCOA recommends that, should the role of APOs be maintained under the CSP, the number and/or capacity of APOs be significantly expanded to enable to lodgement of applications by proposers based in any state or territory of Australia and in both metropolitan and regional areas.

⁶ In our submission on the 2015-16 Refugee and Humanitarian Program, available at http://www.refugeecouncil.org.au/wp-content/uploads/2014/08/2015-16_IntakeSub.pdf

Recommendation 5

RCOA recommends that the Australian Government consider options for allowing proposing organisations to lodge CSP applications independently, rather than through an APO.

Recommendation 6

RCOA recommends that all people proposed under the CSP receive routine needs assessments during the initial period of settlement to ensure that they are receiving adequate on-arrival support.

4. Eligibility requirements

- 4.1. In RCOA's view, one of the most problematic aspects of the CPP was the prioritisation of applications lodged under the CPP ahead of applications lodged under the SHP. While the discussion paper informing this consultation notes that this prioritisation is intended to act as an incentive for proposers to apply under the CPP, it also risked undermining the humanitarian character of the Refugee and Humanitarian Program, in that people in urgent need of resettlement in Australia may have been considered a lower priority than people whose protection needs were less urgent but whose relatives or community in Australia were able to afford the substantial VAC levied under the CPP. Should applications lodged under the future CSP continue to be prioritised in this manner, there is a danger that the beneficiaries of Australia's Refugee and Humanitarian Program will increasingly be people whose proposers are able to muster significant resources rather than those who are in the greatest humanitarian need.
- 4.2. This danger would be further heightened should the future CSP seek to target people who are "likely to settle more quickly upon arrival in Australia". RCOA strongly opposes any attempt to restrict access to resettlement opportunities on the basis of such criteria, as we believe this would be completely at odds with the purpose of Australia's resettlement program. Refugee resettlement is primarily a tool for providing individual protection and the people who have the greatest need for resettlement tend to be those who have complex needs, are particularly vulnerable or highly traumatised and/or face imminent risks to their health, safety or freedom. We believe it would be entirely inappropriate to exclude such individuals from the CSP on the basis that they do not have strong English language skills, are above a certain age or do not have skills or qualifications which are deemed likely to lead to employment in Australia.
- 4.3. RCOA also contends that it is impossible to predict how quickly a person will be able to settle in Australia. The exclusion of people who are deemed to lack skills or qualifications, for instance, would ignore the countless examples of refugee and humanitarian entrants who have arrived in Australia having had no prior education but who have nonetheless gone on to settle very successfully and become valued citizens of this country. Furthermore, the criteria suggested in the discussion paper are unlikely to serve as accurate indicators for whether a person is likely settle quickly. For example, RCOA regularly hears from former refugees with multiple qualifications who have struggled to gain employment because their qualifications are not recognised or due to a lack of Australian work experience; while we also hear from former refugees who do not have any formal qualifications but have successfully started small businesses which provide employment outcomes both for themselves and other members of their community.
- 4.4. Furthermore, RCOA believes it would be hypocritical of the Department of Immigration and Border Protection to use these criteria when, through the Annual Tripartite Consultations on Resettlement (ATCR), it has consistently opposed the idea that "integration potential" should or can play a role in the identification of refugees for resettlement. This "integration potential" notion, which at times has been promoted by the Government of Denmark, has been rejected by consistently by nearly all ATCR participants, with the most experienced resettlement states (USA, Canada and Australia) being the most vocal opponents.
- 4.5. RCOA appreciates that there may be risks involved in supporting people who are highly vulnerable or have complex needs under the CSP. At the same time, however, we believe it would make little sense for the Government to refuse an application lodged on behalf of a person in need of urgent medical attention, at imminent risk of sexual and gender-based violence or living with a disability which places them at heightened risk of harm, yet accept and even prioritise applications lodged

on behalf of people who face no immediate risks to their health or safety. If the former individuals had access to an alternative and equally efficient resettlement pathway under Australia's Refugee and Humanitarian Program, there could be some justification in channelling their applications out of the CSP. In reality, however, this is unlikely to be the case, particularly if applications lodged under the CSP continue to be prioritised for processing. The result would be a somewhat oxymoronic situation in which the people who receive the highest processing priority are those who are deemed *not* to be highly vulnerable.

- 4.6. In RCOA's view, there should be no blanket restrictions on eligibility for the CSP on the basis of a person's potential to settle quickly or their level of vulnerability. The success of applications should depend on the proposer's ability to demonstrate that they have sufficient resources, expertise and capacity to provide adequate support to the person being proposed. In the case of vulnerable individuals, for instance, proposers could demonstrate that they have prior experience in working with similarly vulnerable people and/or have links or partnerships with specialist agencies willing to provide support as required. In addition, all people proposed under the CSP should continue to have access to specialist services able to provide support with more complex settlement issues on a needs basis (see Section 6).
- 4.7. RCOA believes there could be significant potential for the CSP to assist people who lack access to other resettlement pathways because they do not have established links in Australia. For example, given that the SHP is now primarily devoted to family reunification, the CSP could provide a good alternative for community organisations seeking to propose people who do not have relatives in Australia. At the same time, however, we believe it would be inappropriate to exclude a person from the CSP on the basis that they *do* have links in Australia who are able to support their settlement, particularly if the CSP is the only realistic resettlement pathway available to them. While the CSP does offer an opportunity to assist people who do not have links in Australia (and are therefore more likely to settle outside of metropolitan areas), we believe that this is only likely to occur if existing family reunion pathways for refugee and humanitarian entrants are made more accessible. This issue is discussed in further detail in Section 7.
- 4.8. Finally, RCOA believes it would be deeply unethical to deny access to the CSP to people who have a relative who previously travelled to Australia by boat, even if that relative is not the person proposing them for resettlement. We believe such restrictions essentially punish people for someone else's actions and may result in highly vulnerable people remaining indefinitely trapped in precarious or dangerous situations. Furthermore, RCOA can see no justification for denying access to resettlement opportunities on this basis to people who are in clear humanitarian need. If the Government's aim is to deter people from undertaking boat journeys to Australia in the future, it makes little sense to restrict access to pathways which provide an alternative to these dangerous journeys.

Recommendation 7

RCOA recommends that applications lodged under the CSP receive the same processing priority as applications lodged under the SHP, with humanitarian need being the primary criterion for prioritisation under both programs.

Recommendation 8

RCOA recommends that the CSP place no restrictions on eligibility relating to a person's likelihood of settling quickly upon arrival in Australia, on the basis of criteria such as English language skills, age or employment skills and qualifications.

Recommendation 9

RCOA recommends that the CSP place no restrictions on eligibility relating to a person's vulnerability or complexity of their needs, provided that their proposer can demonstrate capacity to provide adequate settlement support.

Recommendation 10

RCOA recommends that the CSP place no restrictions on eligibility relating to a person's links to individuals who previously arrived in Australia by boat.

5. Assurance of Support requirement and Visa Application Charge

- 5.1. As noted in our submission on the 2015-16 Refugee and Humanitarian Program, RCOA believes that the introduction of an AoS requirement could offer an effective alternative to the high VAC levied under the CPP. We believe that the use of an AoS model could help to make the program more accessible to a wider range of individuals and groups as well as providing a safeguard for cases where the proposer may no longer be able to meet their obligations due to unforeseen circumstances or relationship breakdown. It could also act as an added incentive for proposers to provide effective settlement support to people proposed under the CSP.
- 5.2. The fact that there has been consistent demand for the CPP despite the fees involved is not, in RCOA's view, a sufficient justification to continue with the current fee structure. Indeed, the high cost of the CPP has been the most regularly-nominated concern about the program in RCOA's community consultations. Many consultation participants were of the view that VAC and other associated fees were excessive, to the point that the CPP was simply not an option for their communities or clients. Considerable concern was expressed that the program would benefit communities with more financial resources and greater fundraising capacity while new and emerging communities would be likely to miss out.
- 5.3. It is also clear that some organisations and groups which are otherwise keen to become more closely involved in the resettlement process have been unable to participate in the CPP due to its high upfront costs, with the result that substantial community capacity to assist with the resettlement process is being under-utilised. Some consultation participants also felt that the high fees undermined the humanitarian purpose of the CPP, in that the people most likely to benefit from it are those whose proposers could afford to pay the fees rather than those who are in the greatest need.
- 5.4. In addition, RCOA believes the current fee structure offers little incentive for proposers to provide targeted and effective settlement support. As the proposer is liable for the same fees irrespective of whether they meet their obligations to provide settlement support to the person they have proposed, and regardless of the quality of the support provided, there is no financial incentive for the proposer to invest additional time and resources in supporting new arrivals to settle well and become self-sufficient.
- 5.5. The levying of such a high VAC also raises ethical considerations. Many former refugees in Australia have family members living overseas in highly precarious or dangerous situations and are desperate to facilitate reunification so as to ensure their family's safety. Their need for family reunion is generally far more pressing than would be the case for other migrants, as timely reunification can quite literally be the difference between life and death for their relatives. In light of these circumstances, RCOA questions whether it is appropriate for the Government to continue to levy such a high VAC under the future CSP. We believe that the imposition of this VAC – which is far higher than the VACs levied for most other permanent visas – is essentially taking advantage of the desperation of former refugees whose families are at imminent risk overseas and simply cannot afford to wait for resettlement through less expensive channels.
- 5.6. RCOA therefore recommends that the VAC associated with the CPP be substantially reduced and the costs associated with settlement instead be met through an AoS requirement lasting for 12 months after a person's arrival in Australia (the same period of time for which proposers remain responsible for providing settlement support). Under this model, if a proposer is unable to offer adequate support and the person they have proposed consequently needs to access settlement support services, funds could then be taken from the proposer's AoS. However, if the proposed person does not need external settlement support, there will not be any additional money required from the proposer. An AoS model, through reducing the upfront costs of the program, would allow a wider range of organisations and groups to participate in community proposal while also proving an incentive for proposers to increase their role in providing settlement support and helping new arrivals with transitions to independence.

- 5.7. However, RCOA believes that an AoS requirement should only be introduced if it acts as a partial or full substitute for the VAC. If the purpose of the VAC is to offset the costs associated with a person's settlement in Australia, it would be unjust to expect proposers to pay the VAC as well as meeting an AoS requirement, as they would essentially be paying these costs twice. For example, a proposer who provides targeted and effective assistance with securing employment should not also be required to offset the costs of employment support services through the VAC.
- 5.8. Additionally, however, RCOA has serious reservations regarding the proposed introduction of an AoS requirement to cover the costs associated with income support. In addition to dramatically increasing the costs of the program to proposers, such a requirement could create considerable tension, in that the costs of the program to the proposer would progressively increase for as long as the person they have proposed remains on income support. As the success of the CSP would largely depend on strong relationships between proposers and proposed individuals, there is a danger that an AoS requirement could serve to weaken the relationships on which the program depends. It could also result in proposed individuals facing pressure to avoid accessing income support altogether (creating a risk of financial hardship) or access paid work of any kind (potentially foregoing further education or training which could broaden their future employment prospects).
- 5.9. In RCOA's experience, refugee and humanitarian entrants need little encouragement and few incentives to work. Many are, in fact, desperate to find stable employment but find that their efforts to secure employment are stymied by a range of barriers, such as limited English proficiency, lack of Australian work experience and limited knowledge of Australian workplace culture and systems. At the same time, however, many refugee and humanitarian entrants face additional barriers to employment (such as discrimination, inadequate mechanisms for securing recognition of overseas qualifications and employers ignoring the significance of their previous work experience) which are unrelated to their personal capacity or the quality of the employment support they receive. As such, financial mechanisms to discourage proposed individuals from accessing income support are unlikely to be effective, as these mechanisms would do nothing to address the barriers which may prevent new arrivals from securing paid employment during the early stages of settlement.
- 5.10. The introduction of an AoS requirement to offset the costs of income could therefore compromise the success of a future CSP without having any significant impact on employment outcomes. As such, RCOA believes any AoS requirement which forms part of the CSP should be structured to act not as a disincentive for new arrivals to access income support but as an incentive for proposers to provide adequate and effective settlement assistance (and a reward for those who do so).
- 5.11. Research conducted by RCOA has indicated that specialised and targeted employment support often plays a central role in assisting people from refugee backgrounds to secure employment. The capacity to provide such support (either directly or through partnerships) could be one of the requirements of proposers under the CSP – for example, proposers could be required to identify ways in which they can provide support to proposed individuals to attain financial self-sufficiency as soon as possible. In RCOA's view, this would provide a far more constructive way of supporting new arrivals to access employment, without the risks associated with an AoS requirement designed to offset income support costs.

Recommendation 11

RCOA recommends that the VAC associated with the CSP be substantially reduced and replaced with an AoS requirement lasting 12 months.

Recommendation 12

RCOA recommends that the AoS requirement be designed to cover the costs of providing settlement support during the first 12 months of arrival in Australia, not the costs associated with income support.

6. Settlement support

- 6.1. Feedback received through RCOA's community consultations suggests that there was considerable confusion regarding the level of settlement support available to people resettled under the CPP. While the proposer and SCOs are responsible for providing settlement support, there appears to be

no safety net in cases of relationship breakdown. Many consultation participants commented on the very limited support available from the APOs to address settlement needs. Service providers and APOs have indicated that they were not funded or supported to provide assistance to those granted visas under the CPP in cases of breakdown between the proposer and new arrivals. There is also confusion between services providers about the level of support received by people arriving under the CPP and their eligibility for various services.

- 6.2. In cases where the relationship between a person resettled under the CSP and their proposer breaks down, or where the proposer is unable to meet their obligations due to unforeseen events or a change in circumstances, RCOA recommends that services be made available through the Humanitarian Settlement Services program on a needs basis. Funding for these services could be taken out of the proposer's AoS if needed.
- 6.3. In addition, RCOA suggests that people resettled under the CSP continue to be eligible for specialist torture and trauma rehabilitation services and Complex Case Support. While proposers should be required to demonstrate that they are able to provide adequate support to the people they are proposing, it should be recognised that complexities and vulnerabilities may emerge after settlement that are beyond the capacity of a proposer to address. For example, the impacts of past torture and trauma may not fully emerge until many years after the trauma occurred. In these cases, referral to specialist professional services may be required. As such, we believe it would be appropriate for people proposed under the pilot to continue to have access to these services on a needs basis.

Recommendation 13

RCOA recommends that people proposed under the CSP be granted access to Humanitarian Settlement Services in cases of emergency or relationship breakdown, to be taken out of the AoS if required.

Recommendation 14

RCOA recommends that people proposed under the CSP continue to be eligible for torture and trauma rehabilitation services and Complex Case Support on a needs basis.

7. Family reunion

- 7.1. As discussed throughout this submission, RCOA believes that one of the primary aims (and benefits) of a private or community proposal program should be to facilitate the involvement of refugee community organisations and community groups in the resettlement process and capitalise on the significant resources, expertise and goodwill in the Australian community to support the settlement of new arrivals. Feedback received through RCOA's consultations, however, suggests that a future CSP may not fulfil this function unless existing family reunion pathways for refugee and humanitarian entrants are made more accessible.
- 7.2. RCOA understands that many proposers applying under the CPP were individuals seeking to reunite with family members. While we certainly would not oppose the use of the CSP as a family reunion pathway, we fear that the CSP (in much the same way as the SHP) may ultimately operate as a de facto family reunion program. Indeed, participants in RCOA's consultations have indicated that the CPP has been seen as a more expensive version of the SHP, rather than an attempt to increase the involvement of the community in the settlement process.
- 7.3. The fact that individuals sought to use the CPP to reunite with family members despite being eligible for more affordable family reunion options (such as the SHP and the family stream of the Migration Program) suggests that these options are not sufficiently accessible to refugee and humanitarian entrants and/or are failing to offer timely family reunion. This correlates with consistent feedback received by RCOA over many years indicating that existing family reunion pathways are not meeting the needs of people from refugee backgrounds.

7.4. Barriers to family reunion identified through RCOA's community consultations include:

- Limited availability of places under the SHP (with feedback suggesting that places remain insufficient to meet demand notwithstanding the recent increase in the size of the SHP quota);
- The costs associated with family reunion (such as medical tests and airfares), particularly for those seeking to sponsor relatives under the family stream of the Migration Program who must also pay VACs;
- Documentation and other evidentiary requirements which are very difficult, if not impossible, for many refugee and humanitarian entrants to meet (such as obtaining police clearances from countries where a person has been subject to persecution or had no formal legal status);
- Limited visa options for relatives who are not part of the sponsor's immediate family (such as adult children, siblings, aunts, uncles, cousins and grandparents);
- Prolonged waiting periods even if relatives are at immediate risk;
- Limited access to settlement and other support services after arrival;
- Restrictions on access to family reunion opportunities for refugees who arrived by boat; and
- Limited availability of affordable migration advice for people lodging family reunion applications.

7.5. With the CPP offering prioritised processing and flexibility in terms of eligibility criteria and evidentiary requirements, it is little wonder that there is significant demand for CPP visas among individuals seeking to reunite with family members. While the CPP is among the most costly of the family reunion options available to refugee and humanitarian entrants, participants in RCOA's consultations suggested that the high demand for the program was due to the desperation of people in Australia to find any way to help their family and other community members escape danger. Indeed, RCOA heard that a number of community members were taking out excessive loans to be able to propose their family through the CPP. There was concern among community members and service providers that these loans were well above the family's means, creating further social and financial problems for the family.

7.6. While the future CSP may provide a useful family reunion pathway for some individuals, RCOA believes it would not be desirable for family reunion to become the primary function of the CSP. If this occurs, there is a risk that individuals will continue to place themselves under significant financial pressure in order to reunite with their families (hardly the optimal environment in which to begin a family's settlement journey in Australia) and that the capacity which exists in the Australian community to support the resettlement of refugee and humanitarian entrants will continue to be wasted. As such, we recommend that the formalisation of the CSP as part of the Refugee and Humanitarian Program be complemented with strategies to increase the accessibility of existing family reunion options to people from refugee backgrounds. This would help to ensure that the places available under the CSP can be devoted primarily to people who lack access to other options for resettling in Australia, as well as facilitating timely family reunion for people in Australia desperate to reunite with relatives living in precarious or dangerous situations overseas.

Recommendation 15

RCOA recommends that the Australian Government overhaul the family reunion options for refugee and humanitarian entrants to Australia by developing a Humanitarian Family Reunion Program that is separate from the Refugee and Humanitarian Program and the family stream of the Migration Program. RCOA recommends that this Humanitarian Family Reunion Program be developed in consultation with former refugee community members and organisations, peak bodies and relevant service providers.

Recommendation 16

In the absence of a separate Humanitarian Family Reunion Program, RCOA recommends that the Australian Government enhance refugee and humanitarian entrants' access to family reunion by:

- *waiving application fees or at least introducing application fee concessions for refugee and humanitarian entrants sponsoring family members under the family stream of the Migration Program;*

- *expanding the availability of no-interest loans to assist proposers in meeting the costs of airfares and/or application fees;*
- *introducing greater flexibility in documentation and evidence requirements under both the Refugee and Humanitarian Program and the family stream of the Migration Program;*
- *reviewing eligibility requirements under the family stream of the Migration Program which effectively exclude applicants from refugee backgrounds; and*
- *considering applications lodged by people who are not formally registered as refugees with UNHCR or host governments but otherwise meet the eligibility criteria.*

Recommendation 17

RCOA recommends that the Australian Government restore funding for professional migration advice services under the Settlement Grants program to support refugee and humanitarian entrants in lodging family reunion applications.

Recommendation 18

RCOA recommends that the Australian Government conduct a review of Australia's Migration Program to identify opportunities for enabling refugees to enter Australia through the skilled migration and family migration streams.

Recommendation 19

RCOA recommends that the Australian Government review the definition of "family" used to assess and prioritise family reunion applications to bring it into line with the definition used in UNHCR's Resettlement Handbook.

8. Need for greater transparency

- 8.1. A final point RCOA wishes to raise is the need for greater transparency in the operation of the future CSP. Participants in RCOA's consultations have expressed concern about the limited consultation prior to the introduction of the CPP and lack of information about the outcomes of the program. While the discussion paper informing this consultation does outline some basic information about the outcomes of the CPP, RCOA believes it would be beneficial for the Government to conduct a more comprehensive public review of the program. This review would help to provide greater clarity regarding the CPP's processes and outcomes and could assist in building confidence in a future CSP.

Recommendation 20

RCOA recommends that the Department of Immigration and Border Protection conduct a public review of the CPP.

COMMUNITY SUPPORT PROGRAMME DISCUSSION PAPER – JUNE 2015

1. Should communities in Australia be able to identify people to propose for a humanitarian visa under a Community Support Programme?

Communities who are actively supporting their refugee families financially and emotionally should be able to identify to propose people for a humanitarian visa under a Community Support Programme.

2. What are the key considerations that should determine whether a person or organisation can propose entrants under a Community Support Programme? - *This could include their relationship to the proposed entrant, their reputation and community standing, previous experience providing settlement support to humanitarian entrants, previous experience in finding humanitarian entrants paid employment in the labour market, and their capacity to support humanitarian entrants.*

With respect to the proposer, consideration should be given to the individual/family's eligibility and capacity with regard to:

- Permanent resident/ Australian citizen
- Individuals capacity to meet the cost
- Their own effective settlement outcomes before they sponsor family members
- The sponsor relationship with the applicant should be close to ensure the proposer takes ongoing responsibility on arrival for their effective settlement and to minimise exploitation by the proposer of those they are proposing.

With respect to organisations proposing, past experience has shown that while there may be goodwill, proposing organisations have varying agendas for proposing which may not be in the interests of the community and or either party. They also have varying capacity for settling new arrivals effectively. They should:

- Have a well established community base
- Have demonstrated knowledge of refugee and humanitarian settlement work experience
- Commit to working closely with registered Community Proposer providers to ensure effective monitoring and accountability to the Commonwealth

3. Is the APO model appropriate for a Community Support Programme?

The APO model will be the best for community support programme because of the following reasons. The success of CPP 1 & CPP 2 have proven the success of the APO model as highly suitable for the Community Support Programme for the following reasons:-

- APO's have extensive settlement experience with working with diverse ethnicity groups
- APO's are well established community organisations who are independent of any specific community organisation, but have demonstrated credibility with community organisations in providing services without favour prior to client arrival in Australia and post arrival in Australia
- APO's have demonstrated long term accountability for program management, case work, reporting, and successful settlement outcomes for refugee & humanitarian arrivals in Australia

- Have necessary risk management, work health and safety, business and fraud policies and plans, including indemnity and other insurance
- APO's have established work ethics and governance reputation
- APOs are specialists in settlement and related migration services hence can easily transfer knowledge where there may be staff movements
- APO's provide considerable other services, in many cases up to 100% of the actual fee charged to the proposer, with many of these services provided on a voluntary basis, thus adding considerable value in terms of cost benefit to the Commonwealth's program
- APO's provide services for CPP clients including pre-lodgement of financial and housing assessments of the proposer and ensuring that suitable accommodation is available to CPP entrants upon arrival. These services reduce the key risks associated with the provision of settlement support in the CPP and the costs for clients.
- APOs assist to lodge applications, minimising costs to clients who would otherwise have to hire a commercial migration agent
- APOs have worked in partnership with DIBP and each other to continually evaluate and improve the CPP, ensuring client transparent assessment procedures, resource efficient and professional services within Commonwealth ethical standards. This has resulted in considerable build up of knowledge and skills within the current APO organisations.

4. What involvement could UNHCR and the Department of Immigration and Border Protection have in identifying people to propose for a humanitarian visa under a Community Support Programme?

UNHCR involvement could include identifying suitable refugees and fast tracking their processing while providing legal and physical protection, and minimizing threats of violence to them, including sexual assault.

The Australian Government's role would be to ensure the CPP program while having support by community groups, retains the standards of the Humanitarian Settlement Service (HSS) and the Status Resolution Support Service (SRSS) to ensure national best standards and service integrity. As a current APO, we would want to ensure integrity of the program through DIBP contract management that has resulted in a very successful pilot to date.

Due to the overwhelming demand for resettlement and with only a limited number of places lower priority refugee and humanitarian visa applications often take many years to finalise. The CPP is integral for family reunion and is critical for family full participation in the economic and social development of Australia.

This program minimises the cost to the Commonwealth while providing an excellent reunification option with the costs borne by the proposer as well as the APOs who have considerable volunteer resources.

The program needs expansion to one service provider in each state and territory, with 2-3 providers in each of NSW and Victoria.

It also needs expansion in terms of the number of clients for various reasons, including making it economically viable for APOs to manage the program without increasing the costs for the client.

5. Community Support Programme could be targeted towards applicants with humanitarian claims who are also likely to settle more quickly upon arrival in Australia. What are the advantages and disadvantages of this approach? - *This could include applicants below a certain age, or with English language skills, or who have employment skills and qualifications.*

Advantages:

- The settlement will generally be smoother and the applicant may more easily integrate within the Australian community.
- The cost of settlement will not be as great.
- The achievements of the CPP will increase interest in the program

Disadvantages:

- While this program may target those finding it easier to settle, it is not necessarily the case that this will happen – those with higher on arrival aspirations may indeed become very disillusioned if they cannot find a job in their field or allied field.
- Choices are and can be made regarding the proposer's eligibility to assist the settlement of the proposed client(s), but the program should not be viewed and criticised as making discriminatory choices with respect to which refugee is more worthy to be offered a visa.

6. What are the concerns and risks with supporting humanitarian entrants who are highly vulnerable, such as woman at risk or people subject to torture and trauma overseas, through a Community Support Programme?

- We would strongly recommend that the initial settlement of these highly vulnerable cohorts should be processed through the HSS, and for those whose immediate families may propose should be processed and managed through a formal CPP program.
- Our experience has been that at the worst these vulnerable groups may be targets for exploitation in terms of both sexual and physical as well as economic abuse. At best, these groups require specialist settlement services to ensure they have equitable and effective settlement outcomes and they integrate into the mainstream
- The longer settlement process will put a lot of pressure on the sponsor with the possibility of family and community breakdown and settlement complications for the client
- The cost could escalate in terms of complications and will be transferred to other settlement programs such as the DSS Complex Case Support Service

7. What are the concerns and risks with supporting humanitarian entrants who have serious pre-existing medical conditions through a Community Support Programme?

- Medical costs that may put pressure on proposers
- Slow settlement process
- The proposer not having thought through the economic and social burden of supporting the client with such a condition and who may opt out of performing that task

8. Humanitarian applicants under a Community Support Programme could receive priority processing. What are the advantages and disadvantages of this approach?

The advantages and disadvantages need to be weighed against the whole of the immigration policy thrust including:

Advantages

- If some of the refugee increased intake numbers were to be allocated to the CPP, this would assist the cost of processing and of settling the projected increase in humanitarian entrants
- Family re-union that has been of considerable and ongoing community concern will be addressed to some degree through this fast tracking
- Lessen queuing for other humanitarian applicants who do not have families to sponsor them in the pilot program

Disadvantages

- The integrity and transparency of the Humanitarian /refugee program will be questioned particularly by communities who are disadvantaged or do not have access to this program
- Given the sheer number of humanitarian applicants who are waiting in the queue for humanitarian re-settlement the question of equity needs to be thoroughly considered.

9. A Community Support Programme could target humanitarian applicants who are not linked to a family, organisation or community in Australia — and who are more likely to settle in a non-metropolitan location. What are the advantages and disadvantages of this approach?

Advantages:

- There may be more job opportunities that suit the skills and experience of the clients
- The smaller states and cities offer better opportunities for increasing a sense of belonging and minimising isolation
- Where there is permanent work, smaller communities may assist the new settler, but with proper settlement coordination

Disadvantages:

- Other than the large designated regional areas (eg South Australia), small regional areas do not have the necessary settlement supports and large enough establishing ethnic communities to sustain the client and or to minimise their isolation
- Small regional area industries are seasonal and do not provide for ongoing work and sustainability of families who have children they need to educate.
- Transport and accommodation is difficult.
- Many small regional areas do not have the necessary essential mainstream services such as health, ongoing education, transport, etc.

10. What implications would the use of an AoS have on the successful settlement of humanitarian entrants? How long should the AoS period last?

An AoS would discourage some applicants, nevertheless the experience is that established clients are willing to contribute to the costs of being re-united with family members.

Unfortunately, it would also deter clients who do not have the means, but are highly committed to and able to settle their family members

The AoS may create a creditor/debtor relationship with the new arrival client that may have far reaching implications for that family or community relations and also for the long term settlement outcomes for the client.

11. What implications would the use of an AoS have on a humanitarian client's proposer in Australia?

The transparency of the CPP may become questionable if community support services and or individual clients are organising 'backyard' pay back arrangements with those they are proposing through the scheme. It will put unnecessary pressures on those proposers who cannot find one.

12. How can people proposed under a Community Support Programme be better assisted into employment?

Clients must be linked with employment services that appropriately respond to the cultural needs and pre-gained skills of the clients.

13. What are the implications of applying a VAC to applications under a Community Support Programme?

It will place huge financial stress on both the proposer and clients which can lead to unforeseen negative impacts on positive clients' settlement outcomes.

14. How much should the VAC be and why?

VAC should be based on equivalent of partner stream entrants because it is more affordable and does not compromise humanitarian and altruistic values of the Australian government.

15. What are the advantages and disadvantages of using a VAC in conjunction with an AoS?

The disadvantages are that those who are most in need and have no resources for VAC do not have the opportunity to be resettled in Australia.

The advantage is for those who can afford a fast track priority in term of their application to resettle in Australia. In addition it will avoid the financial burden from the applicant and the sponsor

16. What settlement responsibilities should proposers under a Community Support Programme have and what undertakings should proposers be required to give?

The proposers should take care of the day to day local orientation and information, long term accommodation as well as working with the APO in providing settlement support to clients.

17. What are the benefits or challenges with having community members and organisations provide settlement support to humanitarian entrants under a Community Support Programme?

The benefits are that it is less costly for the government and clients feel more confident working with community members/proposers who have the same cultural values and understandings. Many of the proposers have lived experiences as they themselves came here as refugees. They also have the local knowledge to respond to the needs of the clients in term of settlement and employment.

The challenges are many of the community members/proposers do not have the comprehensive knowledge of settlement requirements and skills to navigate services.

18. How can entrants under a Community Support Programme be better assisted towards self-sufficiency as soon as possible after their arrival in Australia?

Australian government should fund APOs to make sure that clients receive sufficient and high quality settlement support.

From: [REDACTED]
To: [Community Proposal Pilot](#)
Subject: Sanctuary Australia Foundation- Feedback on Community Support Programme
Date: Wednesday, 15 July 2015 3:29:40 PM

Dear [REDACTED],

We had a meeting last week with [REDACTED] from ACRT Melbourne, and she informed us about the proposed Community Support Programme and the need for community feedback.

Sanctuary Australia Foundation has worked for 26 years, sponsoring refugees overseas under the SHP Program. We lived in Canada and worked under Canada's PSR Program for several years, and based Sanctuary's model on our experience there.

We work with the Australian overseas posts and IOM, organise refugees flights, and provide no-interest travel loans.

On arrival they are welcomed at the airport and given assistance with all aspects of settlement, including assistance with finding work, once settled.

As a multi-award winning organisation, SAF has worked hard to inspire and initiate Sanctuary Refugee Support groups across Australia.

Together SAF and our affiliated Sanctuary organisations have settled thousands of refugees from different war-torn areas of the world.

All of this has been accomplished without any funding from Government - a 'budget neutral' successful community model.

Accordingly we have put together a few comments and responded to the questions listed, in the hope that it may be of assistance in the formation of a Community Support Programme.

1. Yes, communities need to identify people to propose.

2. The key considerations are as listed - *relationship to the proposed entrant, their reputation and community standing, previous experience providing settlement support to humanitarian entrants, previous experience in finding humanitarian entrants paid employment in the labour market, and their capacity to support humanitarian entrants.*

3. *No, it is always better to work as a team, making decisions together on the spot. No overseer is needed for an experienced team, but can be helpful where no team has no prior experience.*

4. *UNHCR work with the HSS Refugee Program intake, but we have usually found that the overseas post does an excellent job in interviewing and identifying the people who are in most need of a Humanitarian visa.*

5. *There is generally an advantage in assisting refugees who have employment and English language skills, as they quickly find their place and settle well. It is a much slower process when people have to start from scratch.*

6. *Women at risk and torture victims are usually happier to settle in a smaller, safer*

community which offers ongoing community support and care. All who have suffered trauma and need to find peace, care and security first.

7. They must be carefully settled in an area with the appropriate health care facilities to ensure that their condition is managed. Most settlement teams have a nurse or doctor on their board.

8. It would be helpful, as it would make it easier to train and prepare a good community support team when there is a clear time frame.

9. Yes, in our experience families with no links generally settle well in regional areas. It is a kinder and less threatening environment for stressed and traumatised people.

There needs to be a well organised community support team to help people get independent as quickly as possible.

It is important that people are settled in a centre with appropriate services and help for new arrivals, such as Coffs Harbour, and Albury Wodonga, and preferable if there are others from a similar background.

10. An AoS is not necessary. There is a vast amount of voluntary time and work provided at no cost to ensure that new arrivals are helped in all aspects of settlement, including work, when ready. For the community to also have to raise this money is not easy.

11. An AoS would make it impossible for the most needy people to propose their family, as they are always struggling to make enough money, especially with such large rents now.

12. By personal connections in the community. It is the best way to find work. Generally speaking, employment agencies do not have much success in understanding needs, and finding employment for refugees.

13. There does not need to be a VAC for Humanitarian entrants. The services provided under the HSS Program are not needed when a community support team is well trained and experienced, and can provide all aspects of settlement assistance and ongoing help.

14. If it does go ahead it should be only a minimal amount, as community can cover most of the needs. The airfares should always be on a no-interest loan scheme, to be gradually repaid, thus ensuring that there are ongoing funds to help others. (Sanctury Travel Loan Scheme has operated for 13 years with a very successful 97% payback rate.)

15. The VAC would make it more difficult, as people already selflessly give so much time, energy, knowledge and care to assist new arrivals, and much of it outside regular office hours.

16 A Community Support Programme must be required to commit to providing care and support, airfare loans, and complete settlement assistance. This would include helping with potential employment, once the people are settled.

Proposers for relatives would be expected to commit to assisting them as much

as possible with all settlement procedures.

17 The benefits are many, but briefly they include the enrichment of communities through the experience of getting to know refugee families and being directly involved in helping.

The challenges are usually finding affordable and appropriate housing and work.

18 By assisting entrants in a careful and respectful manner to ensure that things are not done 'for' them, but 'with' them. Also by introducing entrants to community members who can assist with work experience and educational help is important.

Many of those Sanctuary has helped into business now employ other ex-refugees in our local community.

This is a very brief feedback, from our perspective of decades of community settlement work with refugees, both in Canada and here in Australia. I hope it may help!

Thank you

Kind regards



OAM

Sanctuary Australia Foundation

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Coffs Harbour, NSW 2450
Australia

www.sanctuaryaustraliafoundation.org.au

PEACE Cards and T-shirts available - www.sanctuaryaustraliafoundation.org.au/shop/



SCOA Submission – Community Support Programme

The Settlement Council of Australia (SCOA) is pleased to provide this submission to the Department of Immigration and Border Protection in response to the Community Support Programme (CSP) discussion paper. SCOA is the national peak body for settlement representing over 80 agencies providing settlement support to humanitarian entrants and eligible migrants across Australia. SCOA's consultation with members and our research into the area have informed the preparation of this submission. SCOA members have been directly involved in the Community Proposal Pilot (CPP) as Approved Proposing Organisations (APOs), which has provided direct relevant experience of many of the issues likely to arise if a CSP should be initiated.

SCOA's submission will respond to the following areas (largely in line with the discussion paper):

- Discussion on the possible benefits of a CSP
- Discussion on the potential challenges in initiating a CSP
- Discussion on the implications of a CSP on settlement service provision
- Discussion on potential eligibility criteria within a CSP
- Discussion on the costs involved in a CSP and how the costs are structured
- Reflections and lessons learnt from the operation of the CPP

General comments

While addressing in greater detail difference aspects of the CSP under the various headings below, it is also worth mentioning core general comments that emerged in SCOA's consultations on the CSP. The need for the humanitarian programme to stay focussed on the values of refugee protection and the associated implications which flow from this focus was stressed in discussion. A related issue has emerged in the implementation of the CPP Pilot for APOs around their need to stay true to the community driven values they hold as non-government organisations working closely with refugee and migrant communities.

It is not clear whether visas under the CSP should be considered humanitarian visas or a family reunion visas, and the settlement sector is aware that considerable issues flow from determination of this core criteria. Programme numbers, conditions, eligibility for services on arrival and programme scope are all significant issues which will need to be addressed clearly in the development and implementation of a CSP.

The relationship of the CSP to the CPP is also interesting. To date the CPP has not been externally evaluated, and given the nature of the pilot and the potentially far reaching implications of the extension to the pilot proposed in the CSP discussion paper a comprehensive open external evaluation is highly recommended. An independent evaluation would provide a solid evidence base for the policy and programme development necessitated in CSP.

The CSP as outlined in the discussion paper creates a range of additional tensions for families and communities during what is acknowledged to be an already difficult time. That said, the overarching need of families for predictable secure family reunion pathways is very high. Particular communities

will struggle with the costs associated with the programme – implicit in the CSP is the acceptance that not everyone will be able to take part. The CSP as articulated in the discussion paper is quite different from other programmes current available such as the Special Humanitarian Programme, even though it shares many characteristics. Mapping out the potential links and interactions between the different elements of the Humanitarian Programme will be important should the CSP be implemented. The CSP can be viewed as a complementary programme and it is recommended that the CSP does not take away any elements of HSS in its implementation.

Discussion on the possible benefits of a CSP

SCOA members discussed the possible benefits of a CSP, which centred primarily on the capacity with a CSP to reunite family members who would otherwise be unlikely to gain entry to Australia through any other visa programme, and who were often in vulnerable and dangerous situations. Additional capacity and avenues for family reunion has been an issue for refugee communities for some time, as SCOA has highlighted in submissions on the Humanitarian Programme. The experience of the CPP to date has demonstrated that there is a willingness to pay the high fees associated to get family members out of desperate situations.

There are also likely to be longer term benefits associated with greater involvement of proposers, family members and community members in Australia in supporting the initial settlement of refugees arriving under the CSP. Family members and community members, if supported and kept abreast of the relevant current policy and programmes, can provide excellent support to newly arrived refugees. There is however a need to ensure that people involved in providing initial settlement support are aware of the current policies and programmes. Past experience with proposer supported assistance in initial settlement has demonstrated that proposers focus on their own experiences and understandings of programmes and policies, which may have changed in the intervening years. Also, the capacity to provide support can depend on how long proposing family members have been in Australia themselves. Proposers need to be financially and socially stable to be in a position to provide support to newly arriving family members.

Discussion on the potential challenges in initiating a CSP

In discussing the potential challenges in a CSP the primary concern raised by SCOA members centred on the high costs involved in the programme and the impact of a fee structure on a programme based on humanitarian values targeted towards vulnerable refugees. There is an inherent tension in having a fee structure for refugee visas. There is also an inherent tension and contradiction in a refugee visa programme assessing resettlement capacity and employability factors as part of the eligibility criteria as proposed in the CSP discussion paper. Concerns were raised by SCOA members about having additional criteria for visas which were not connected to the humanitarian concerns of refugee protection. It was also mentioned that on a practical level the proposed additional criteria may be difficult to assess.

SCOA members also commented on the high pressure a CSP would put on families to raise the funds required to participate. Given the very distressing situations family members are often in overseas many will feel they have no choice but to raise the funds required.

The development of a CSP may also have an impact on long term and short term dynamics and demographics within refugee communities. Experiences from the CPP have shown that internal

political pressures within refugee communities have been exacerbated by the CPP in some cases. Long term a CSP may have significant impacts on the nature, scope, location and size of refugee communities. The current planning processes and regional allocation levels for the Humanitarian Programme give considerable thought to the balance of refugee arrivals from overseas and scope to allocate unlinked arrivals to particular locations in Australia (often regional). Both of these planning components have been beneficial in helping support planned refugee community development and are not from what has been outlined in the discussion paper components in the development of the CSP.

Community organisations need strong internal governance structures to ensure they can adequately fulfil the responsibilities involved in supporting families entering through the CSP.

Discussion on the implications of a CSP on settlement service provision

One of the principle philosophies underpinning the CSP is that community and family members in Australia are able to provide primary initial settlement support. Within the CSP programme and the CPP programme, which is currently being piloted, community and family members have self-selected involvement based on capacity to pay. In most cases capacity to pay is likely to indicate strong financial and social links which will provide good support to newly arrived refugees however this is not always the case. Assessment of capacity to support and resourcing proposers with good information has been historically shown to be essential. Access to financial resources does not necessarily correlate to the capacity to support a family settle. The CSP will need to ensure that safety nets such as the Complex Case Support Programme and assessment of proposer capacity are factored into the application process. It was unclear from the discussion paper if there will be any tools used to assess families' capacity to support settlement.

Additionally, families will be under intense financial pressure during what can already be a stressful period which may have impacts on family relationships and successful initial settlement. Community members and family members in Australia may be unaware of the scope of needs of the family members they are proposing and committing themselves to support. Often additional, sometimes quite serious, issues emerge once a family have found safety.

The role of APOs and settlement agencies in supporting applications and making initial preliminary assessments is also problematic and has the potential to negatively impact APOs relationships with the communities they serve. Assessment is not, nor should it be, the role of APOs.

Discussion on potential eligibility criteria within a CSP

SCOA members felt that elements of the eligibility criteria proposed in the CSP were at odds with the humanitarian values which have informed the existing refugee visas and are quite discriminatory. As mentioned above, some of the additional criteria suggested would also make functionally very difficult to assess. The criteria may exclude people who are in need of protection, such as those on Women at Risk visas. It is unclear in the discussion paper if links between the CSP and the Humanitarian Programme would be established. For example, if a case is deemed ineligible for the CSP due to vulnerability or other high need indicators would that case be referred to the Humanitarian Programme or rejected?

An additional eligibility condition was also mentioned in consultations as needed for families who are in precarious situations within their own country. At the moment the 'in-country' provisions for accessing refugee visas are not generally available (although the visa category In-country special humanitarian visa 201 does exist). It was recommended the CSP include provision for applications where the prospective entrant is still within the country, having been unable to leave yet.

The CSP discussion paper proposes that serious medical conditions are screened and thus be an element of eligibility criteria for the CSP. There can be difficulties diagnosing serious medical conditions as general medical screening within the Humanitarian Programme has only focussed on readily diagnosable medical conditions. It is unclear how practical in-depth medical screening would be implemented and how the medical screening suggested would impact other considerations within a programme designed to offer refugee protection.

It was recommended more attention be devoted to developing, in conjunction with settlement agencies, a more sophisticated approach to determine whether clients have high needs and the capacity of families to support them. APOs would have particular strengths to offer in supporting the development of additional tools and processes. Stakeholder involvement in this process is highly recommended.

Discussion on the costs involved in a CSP and how the costs are structured

SCOA members are concerned about the cost criteria and the impact of including assurances of support within a CSP. The suggestions proposed in the discussion paper around limiting access to Centrelink and the implications of an assurance of support model would not only compromise the crucial initial settlement period but over time may lead to the development of a vulnerable underclass and add significant additional pressure to the relationship between the proposer and the entrant. As a result, SCOA members do not support the inclusion of assurances of support in the CSP. It is felt that an assurance of support and a high visa application charge would be a double burden to place on families and that the assurance of support may have significant long term negative impacts. Financial hardship is already a factor for refugee communities who are rebuilding their lives and additional financial pressures will exacerbate the pressure on families.

The cost factors proposed in the CSP are likely to play out very differently within different parts of the community, particularly for refugee communities as compared to mainstream volunteer community groups who support refugees. For refugee communities, as mentioned above, the existing pressures and incentives to participate are already high which has been evident in the uptake in the CPP. For mainstream volunteer communities the cost factors are likely to limit their involvement which may cut off a strong additional resource for refugee communities.

SCOA members are also concerned about the timing of when costs are incurred. Within the CPP currently there are significant costs incurred before a visa is granted during the initial application process. An initial application fee was conceptually agreed as in line with the broader principles of the CSP however it was recommended that the bulk of charges or fees be incurred upon grant of a visa (when the visa is guaranteed).

Concessions for larger families were suggested as one way to mitigate some of the cost impacts which currently in the CPP are tied directly to family size.

Reflections and lessons learnt from the operation of the CPP

It was very useful to hear directly from SCOA members who are APOs their experiences implementing the CPP. An overriding element in the discussion was the need to stay true to core organisational values in implementing a programme that can increase competition for refugee visa places and has the potential to create significant conflict of interest issues within communities. To date APOs have adopted a cost recovery model; however, this has resulted in significant risk exposure for agencies and those who participate in the programme having to bear the underlying programme costs. For example, agencies reported significant administrative costs in addressing enquiries which would never lead to applications given the small numbers within the pilot. The costs associated with addressing enquiries in the current model are borne by those who are successful in gaining a visa. The lack of awareness and publicity about the CPP also created problems for APOs, particularly in addressing client expectations which may have been generated by misinformation.

It was recommended that a values focus was an important element for any APO and that costs would likely be increased if a competitive model of service delivery was implemented.

There are also related challenges for APOs who are put into a place of being a de-facto decision maker for visa places, given the role they play in the process and the limited numbers available.

In some cases, the CPP has created stress and conflict within communities, between communities and APOs as pressure is being brought to bear by some communities to promote their uptake of the pilot within the limited client numbers. Programme size, composition, geographic allocation, viability and the identification of APOs remain crucial questions in the CPP, and the CSP should it be established. It will be important to consult closely with stakeholders as the CSP is developed.

Legal constraints and risk factors in the CPP have created additional pressures for APOs and limited the development of regional partnerships in some areas. The legal requirements also act as a limiting factor for APOs in partnering with smaller, emerging community organisations, who may not yet have comprehensive governance structures. The business model including proportional risk, legal liability and funding structures needs refinement in any future iterations of the CPP or CSP as the current model places unfair burdens on APOs.

While not a formal or comprehensive evaluation APOs reported anecdotally that there have been gaps for some families in their settlement support as proposing families may be unable or unaware of the need to follow up on some settlement issues, such as follow up medical tests.

The safety net offered by the Complex Case Support Programme has been crucial. During the operation of the CPP some cases have been successfully referred to the Complex Case Support Program, highlighting the ongoing need for this important programme.

The CPP has offered the opportunity for extended family reunion for brothers, sisters, nieces and nephews which has been greatly beneficial for those who have been able to participate. For many who have arrived under the CPP there would have been no other viable visa pathway.

For some accessing the CPP newly arrived refugees have stepped into a fairly well established social capital network which has facilitated settlement in terms of finding accommodation and employment rapidly and has been very positive.

Conclusion

The CSP offers the potential to reunite families and increase community and volunteer involvement in supporting resettlement. Its development needs to be carefully considered to ensure it coordinates well with existing programmes and supports. An independent external evaluation of the CPP is highly recommended to inform the evidence base for the further development and refinement of the CSP. The settlement sector, and the APOs who have been involved in the CPP, remain supportive of efforts to increase the refugee and humanitarian programme while maintaining the support structure that has made the current Australian Humanitarian Programme so successful.



Submission on *Community Support Programme Discussion Paper* – June 2015
Department of Immigration and Border Protection

Settlement Services International Inc. (SSI) is a leading not-for-profit organisation providing a range of services in the areas of humanitarian settlement, accommodation, asylum seeker assistance, social inclusion for people with disabilities, foster care, and employment support in NSW.

Formed in 2000, SSI is also an umbrella organisation for 11 Migrant Resource Centres (MRCs) and multicultural organisations across NSW.

SSI is the largest not-for-profit humanitarian settlement organisation in Australia servicing more than 8,000 clients per year on refugee and bridging visas in our HSS program, which includes accommodation support, and in SRSS. SSI is a growing organisation committed to ensuring that refugees, humanitarian entrants and asylum seekers in NSW are supported and resourced to fulfil their potential as members of the Australian community.

SSI's vision is to achieve a society that values the diversity of its people and actively provides support to ensure meaningful social and economic participation and to assist individuals and families to reach their potential.

From a staff of one in April 2011, SSI now has more than 500 employees and 170 volunteers. Our predominantly bilingual and cross-cultural workforce enables us to overcome many cultural and language barriers which can inhibit access and service delivery.

SSI's current principal client groups are:

- refugees and other humanitarian entrants (including unaccompanied minors);
- asylum seekers, who are living the community after being released from immigration detention;
- people with disabilities;
- children in out-of-home care (OOHC); and

- people seeking employment support (since 1 July 2015).

With its head office located in Ashfield, SSI's services are delivered from four main office locations and at the local level through the placement of case managers, bilingual workers and volunteers at Migrant Resource Centres and partner organisations throughout NSW. SSI's combined services cover the Sydney metropolitan area as well as the Hunter and Central Coast, Illawarra and Central Western NSW.

SSI's perspectives on the *Community Support Programme Discussion Paper*

Overall, SSI welcomes the opportunity to comment on a range of innovative proposals in the discussion paper, which attempt to address the needs of family and community links in Australia to propose people in humanitarian situations offshore for resettlement in Australia. This submission outlines some general comments before turning to the questions posed in the discussion paper.

The Community Proposal Pilot (CPP) was scheduled to run from June 2013 - June 2016 and there is little information on the implementation or evaluation of the CPP available to allow community and sector stakeholders to examine the strengths and weaknesses of the pilot. The discussion paper however outlines that there has been a high demand in the CPP. This is unsurprising, as it is well known that only 10% of the world's registered refugees are offered the opportunity for a durable solution to resettle in countries like Australia. Similar, it is well known that the demand for family reunion visa pathways among humanitarian entrants already in Australia greatly exceeds the number of places available. In addition, the existing visa pathways for family reunion can often take many, many years to be processed.

The discussion paper contains minimal information on the implementation of the CPP other than some preliminary demographic information, some commentary on processing claims and detail on the revenue raised by the CPP to date. There is no information on the settlement outcomes of participants in the CPP and it is not stated if an evaluation of the impact of the CPP is being considered or is underway.

While the CPP is based on a program that has been in operation in Canada for a number of years, different contextual issues can impact on the outcomes of social programs in different settings. These differential impacts need to be taken into account to mitigate the risks associated with significant changes to social policy and an evaluation, or at least, more information on the CPP would assist stakeholders in Australia to better assess the range of options being put forward in the discussion paper and the merits of the proposed Community Support Programme (CSP) in the Australian context.

The discussion paper positions the CPP as being similar to the existing SHP. In SSI's experience, the CPP, and the CSP if it proceeds, are more closely aligned with the family migration stream where the primary purpose is family reunion. While proposers in the SHP do make a contribution towards costs and undertake to provide settlement support, the costs are more modest and the undertakings for providing settlement support are less restrictive than in the CPP or the proposed CSP. In addition, entrants under the SHP can access expert settlement support services on a needs basis to ensure that these new arrivals are given every chance to integrate and reach their social and economic potential should their proposer find themselves unable to address the settlement needs of the entrant.

SSI urges the Department to reconsider whether the CSP should form part of the Humanitarian Programme intake as it has been under CPP. Even though entrants themselves are in humanitarian situations overseas, we question whether the measures being proposed are congruent with a humanitarian policy setting. In particular, we are concerned that the implementation of the CSP does not have a clear purpose to select and accept those most in need of resettlement which is a central tenet of the Humanitarian Programme intake.

As there is little information in the public domain on the impacts of the CPP SSI proposes that:

- an external evaluation of settlement outcomes in the CPP be commissioned by the Department and made available to stakeholders prior to the implementation of the proposed CSP;
- the CSP, if it is implemented, must be an additional fixed number of places, outside of the core the Humanitarian Programme intake. If it is to remain within the Humanitarian intake then a specific quota should be specified and the humanitarian intake increased by that quota so that it does not diminish humanitarian places for those most vulnerable.

Who should be able to propose humanitarian clients?

SSI recognises the value of communities being able to identify people to propose for a permanent visa in Australia. The key considerations should include family and community links in Australia and the capacity of those links to provide settlement support. One of the difficulties of the CPP and the CSP is that while many community members would be able to meet these considerations, only those able to pay the significant upfront fees and bond have the opportunity to propose people for a visa under this scheme. Furthermore, despite this financial commitment there does not seem to be any guarantee that appropriate settlement supports will be provided by the proposer or the APO.

In our view, this places the CPP and CSP outside the remit of the Humanitarian Programme which is guided by recipient need and vulnerability, not fee-for-service considerations. As family reunion seems to be the primary goal of the proposed CSP, we urge the Department to consider allowing families and communities in Australia to also propose prospective entrants that are still in-country, having been unable to leave but still being displaced due to conflict.

We believe that the current APO model is largely appropriate for the CSP as long as the design and implementation of the CSP is informed by an evaluation of the CPP to allow for refinement and the achievement of optimal settlement outcomes for holders of Class XB visas. APOs offer the opportunity for the practice knowledge of settlement services to assist communities in their efforts to bring family and community links in humanitarian situations overseas to Australia. However it is unclear what accountabilities are in place to ensure that APOs facilitate settlement supports to the same standard as HSS.

We acknowledge that APOs also have expertise in monitoring and responding appropriately to the pre-migration stressors and post-migration living difficulties that newly arrived entrants typically face and recommend that this continue to be a requirement for APOs. It is also unclear from the discussion paper if APOs are involved in assessing applications in the CPP. SSI does not support APOs carrying out assessments of applications as this should be the remit of the DIPB.

It is unclear how the UNHCR could be involved in identifying people to propose for a visa under the CSP. UNHCR already identifies people most in need of resettlement offshore and referring them to Australian authorities offshore for consideration of resettlement. The fee-for-service component of the CSP, in particular, would seem to contradict core humanitarian principles.

Similarly, the Department of Border Protection and Immigration has a minimal role, except in exceptional circumstances, in identifying people to propose as applicants for any part of the migration program. Were the Department to have a proposer role in the CSP it would seem to run counter to the core purpose of the Programme which is to provide communities with opportunities to propose family and community links for resettlement.

Who should be eligible for a humanitarian visa in a Community Support Programme?

We believe that the focus of the CSP should remain on those who are in humanitarian situations offshore. Apart from health, character and security requirements no other targeting such as being “likely to settle more quickly” should be included in the CSP. SSI’s extensive experience in providing settlement services to refugees and humanitarian entrants tells us that there is no objective or reliable way to determine who will settle most quickly. Case management, with regular

follow-up, allows for on-going assessment and responding to issues as they arise. While younger people, people with English language skills and people with skills and qualifications can help humanitarian entrants to settle, no single attribute or set of attributes can predict a successful settlement journey. This is borne out in research evidence where there is now broad consensus that post-migration difficulties among humanitarian entrants can, without adequate supports, derail successful settlement and integration (see for example, (Nickerson et al., 2015) where unforeseen issues emerge in the context of entrants having security and protection in Australia. The disadvantages of an approach that seeks to determine who will settle most quickly include a lack of objective assessment criteria, the people being assessed are offshore, and pre-migration circumstances are not necessarily predictive of coping with post-migration difficulties. These combine to create an inherent risk of a lack of transparency which is essential to the proper governance of a migration program and ensuring that the widespread community support for Australia's humanitarian intake is not eroded by subjective selection processes. The systemic ramifications of such a screening process are potentially high. A visa scheme designed around assumptions of "likely to settle more quickly" can result in administrative systems that fail in the event that critical needs, such as mental health issues, emerge and are not adequately addressed.

Conversely, the discussion paper poses the question of whether the CSP should exclude those who are more vulnerable and considered "least likely to settle well". As previously noted, SSI's practice experience and research evidence point to the difficulty of objective criteria to determine who is least likely to settle and integrate. While the pre-migration stressors of people who have experienced torture and trauma or women at risk might, at face value, appear to increase the likelihood of poor settlement outcomes the reality is far more complex and difficult to attribute to a single factor or set of pre-migration factors. SSI's position is that with adequate supports humanitarian entrants can, and do, reach their social and economic potential. Research on the social and economic contribution of humanitarian entrants in Australia points out that this potential typically is not realised in the first few years, but rather in the medium-term (Hugo, 2013). There are similar disadvantages to an attempt to 'screen-out' people in the CSP as there are to be 'screen-in' people. In SSI's experience, best practice in settlement is where assessments are carried out in the context of case management but also where these assessments are just one aspect of a broader suite of person-centred approaches. Screening on subjective factors carries a risk of a lack of transparency in the criteria that should underpin decision making on granting a permanent visa to Australia. Further, decisions taken on pre-migration factors carry the risk of designing a visa scheme that relies on flawed assumptions of these factors and the need for an adequate safety net.

The discussion paper also poses a question on people who have "serious medical conditions" being screened and being ineligible for the CSP. Some serious medical conditions, including some

infectious diseases, are readily diagnosable through a simple test, yet many serious medical conditions (e.g. most forms of cancer) are not readily diagnosable, or at least require sophisticated technology and medical interpretation to be diagnosed. The most readily diagnosed health conditions are not necessarily those with the greatest cost burden. SSI recommends that the Department apply a uniform and consistent approach to the health requirement in all streams of the migration program, including the CSP.

It is proposed that CSP applicants could be prioritised for processing. It is difficult to understand the rationale for this. Priority processing does have some basis in the context of the CPP to ensure a rapid recruitment into the pilot phase. The wider Australian community has an expectation that government services, in this case the processing of a visa application, will be delivered in a fair and consistent manner based on need. As proposed in the CSP this measure seems to be based solely on the capacity and willingness of the proposer to pay, not on any need.

There is a suggestion that the CSP could be targeted to people who have no links to community or family in Australia as a potential strategy to promote rural and regional settlement. The evidence base for success in regional resettlement suggests that access to employment, cultural and linguistic social networks and support through formal and informal structures are among the critical factors in achieving successful settlement in rural and regional areas (AMES/Deloitte Access Economics, 2015; Feist, Tan, McDougall, & Hugo, 2015). The assumption that people with no community links would be willing to settle in rural and regional areas may be true, but questions remain as to whether these individuals and families who are isolated from their cultural and linguistic networks would have access to the social capital and other factors known to promote successful settlement and integration in these locations.

It is therefore important to ensure that the CSP does not seek to disadvantage potential humanitarian applicants on the basis of the ability of a proposer to pay prescribed fees and that the HSS program remains focussed on offering places to the most vulnerable.

Should a CSP include an AoS requirement?

We understand that a bond is currently paid by proposers in the CPP as a guarantee to cover the settlement obligations of the proposer. This bond appears to apply to adult clients that are proposed under the CPP and not to children. The Assurance of Support put forward in the discussion paper is modelled on the AoS in the Contributory Parent visa scheme. Unlike humanitarian entrants, parents under this visa scheme, comprise a much higher proportion of people outside of the working age and people whose dependency on services and income support is likely to increase over time. Humanitarian entrants, on the other hand, are far more likely to be

children or of a working age and thus their dependency on government services are likely to be of a temporary nature. The proposed AoS places an additional financial burden on the client's proposer and, in the event that they do access government and welfare services, this AoS can place additional financial stress on the proposer. SSI recommends that the payment of a bond by the proposer for settlement obligations is retained but that an AoS provision for essential government and welfare services is not adopted in the CSP.

People proposed under the CSP, like all new entrants into the Australian labour market, are likely to need tailored assistance to successfully transition into the labour market. This is likely to comprise skills and qualifications recognition, bridging training and English language learning, opportunities to gain Australian work experience and access to employment support. As with many areas of social policy there is no silver bullet but there is a strong evidence base in Australia that can guide this work (for example, see (Correa-Velez, Barnett, & Gifford, 2013)).

What is the role of communities in contributing to the CSP?

It is difficult to specifically identify the implications of applying a VAC under a CSP as there is little information in the discussion paper on the impacts of the VAC under the CPP, other than an assertion that the VAC is cost effective for proposers when compared to sending remittances to relatives overseas.

It is possible to make some broad observations based on SSI's experience of providing settlement services to refugees and humanitarian entrants. Many refugees and humanitarian entrants are living on limited incomes, especially in the early years of settlement. In our experience, these new Australians often have family and community links in humanitarian situations overseas and the VAC effectively locks them out of the opportunity to make applications under the CSP. These new Australians are often in casual or temporary employment and are not well placed to borrow money from reputable lenders who test borrower's capacity to repay the loan. In the past, we have seen clients get loans from questionable lenders for costs such as migration advice. This type of lending has frequently led to significant financial stress, which seriously undermines the settlement and integration of these new Australians.

It is difficult to state how much the VAC should be, other than it should be as low as possible to allow all people in Australia with family and community connections in humanitarian situations overseas to have fair and equitable access to propose suitable applicants to APOs for consideration by the Department. The main disadvantage of using the VAC in conjunction with the AoS is that they compound the significant financial burden on proposers.

What settlement support should be available for humanitarian entrants under a CSP?

Proposers under a CSP should have responsibility for providing all aspects of on-arrival support and should be responsible for referrals to appropriate services. We suggest that there should also be some undertaking for the proposer to regularly meet with the APO and client, perhaps in the first 6 months after arrival, to allow the APO to monitor progress towards key competencies and orientation requirements. These competencies and requirements could be adapted from those required under HSS. These regular meetings could facilitate APOs to support and mentor proposers and address critical settlement issues when they arise. There should also be a mechanism, if it does not already exist, for APOs or HSS providers to step in if the proposer is unable to adequately meet their settlement obligations to new entrants.

The benefits of community members and organisations providing settlement support under the CSP include the potential capacity for entrants to get support from their own cultural and linguistic community networks. The potential disadvantages are that communities and individual proposers may struggle when critical settlement issues arise and may themselves be unaware of service pathways and referral networks to address these issues.

In SSI's view, one of the best ways to assist entrants towards self-sufficiency is to ensure that settlement competencies and orientation are delivered in a staged but comprehensive way after arrival as currently occurs in HSS.

Conclusion

SSI is supportive of changes in policy and program settings which enable people and communities in Australia to be reunited with family members who are overseas. We also support initiatives that may potentially increase Australia's annual humanitarian intake. We are acutely aware of the significant distress often caused by forced separation from family members overseas. SSI recommends an evaluation of the CPP to ensure that the CSP, if it is implemented, achieves strong settlement outcomes for entrants, that the CSP is congruent with existing migration pathways, and that any implementation issues in the CPP are not carried forward into the CSP and do not have a negative impact on the existing humanitarian program.

Authorised by: [REDACTED], Acting CEO 13/7/2015

Contact: [REDACTED], Manager, Humanitarian Services [REDACTED]

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Community Support Programme Discussion Paper, June 2015
NSW Service for the Treatment and Rehabilitation of Torture and Trauma Survivors
(STARTTS) Response
June 2015

The NSW Service for the Treatment and Rehabilitation of Torture & Trauma Survivors (STARTTS) is a non-profit organisation established in 1988 to assist refugee survivors of torture and trauma rebuild their lives in Australia. STARTTS services form a part of the NSW public health system through its recognition as an Affiliated Health Organisation (AHO). STARTTS is the NSW member of the Forum of Australian Services for Survivors of Torture and Trauma (FASSTT).

STARTTS clients are survivors of torture and trauma in the context of organised violence and state terrorism, the majority of whom have arrived in Australia under the Refugee and Humanitarian Program. STARTTS utilises a holistic approach to address the impact of torture and trauma on the individual, family and community through health assessment and referral, information provision, counselling, psychotherapy and other clinical interventions, community development, policy input and training of other service providers. STARTTS has a proud 27 year history of successful services and projects and is funded through a variety of funding sources including NSW Health, and the Commonwealth Departments of Health, Social Services and Immigration and Border Protection. Further information about STARTTS' services and programs can be found at <http://www.startts.org.au/>.

STARTTS works closely with refugee communities, and is aware of the issues faced by families and communities wishing to ensure their family members are safe and if possible to sponsor them to join them in Australia.

STARTTS welcomes the opportunity to make a response to the Community Support Programme Discussion Paper. This response is drawn from the experience of STARTTS and the Community Proposal Pilot in NSW. However, the recommendations that follow draw on the collective experience of FASSTT agencies across Australia and are applicable to the programme across all jurisdictions.

Summary of STARTTS recommendations is as below:

1. If the programme is to be continued, the visa places offered should be in addition to the visa places offered under the Humanitarian Programme, rather than taken from within it, to ensure that places under the Humanitarian Program remain available based on need for protection rather than financial resources and are available to all communities.
2. All humanitarian entrants, including those accepted under this programme, should have access to services to support them to deal with the impact of torture and trauma, such as the services offered by the members of the Forum of Australian Services for Survivors of Torture and Trauma (FASSTT). Given that applicants are required to meet the criteria to be granted a humanitarian visa, it is likely

that they have experienced traumatic events in their own country or in the process of seeking safety in other countries, and may need support to deal with the impact of these issues.

3. Even if the programme does target applicants who are perceived as likely to settle more quickly upon arrival in Australia, there should always be a safety net to support people who face greater difficulties, especially in cases of a breakdown in the relationship between the proposer and new entrants.

4. STARTTS does not support introduction of Assurance of Support (AoS). Introducing an AoS may lead to a greater risk of tension and breakdown in the relationship between the proposer/s and entrant/s given the imposition of significant additional costs on the proposer, and pressure on the entrant/s to take any kind of job to avoid the costs associated with an AoS, rather than looking for a more appropriate long-term job.

5. While the proposer may have appropriate knowledge and experience in assisting new entrants to settle, they may not have the specific knowledge required to assist new entrants to enter the Australian labour market in an appropriate field relevant to the skills and experience of the new arrival. Therefore it would be important for the humanitarian entrants to be able to access *jobactive* and other relevant labour market services as well as the full allocation of AMEP hours.

6. Consideration should also be given to training and/or information sessions for proposers before the humanitarian entrants they have sponsored arrive, to ensure they are fully aware of their responsibilities and the range of services available. This could be co-ordinated by the Approved Proposing Organisations.

Question 1: Should communities in Australia be able to identify people to propose for a humanitarian visa under a Community Support Programme?

Under the Community Proposal Pilot (CPP) so far, some members of some communities have taken advantage of the opportunity to propose family members for humanitarian visas despite the high costs involved, reflecting the desperation of many to assist family or community members escape from danger and join them in Australia. However, it is only those community members with significant financial resources who have been able to take advantage of the CPP, usually communities which have members who have been established in Australia for some years. More recently arrived communities have thus been disadvantaged by being unable to participate in this programme owing to the high costs involved. Another aspect of the programme which disadvantages those families/communities which are unable to afford the costs associated with it is that applications lodged under the CPP are prioritised for processing regardless of the urgency of their protection needs.

If the programme is to be continued, STARTTS considers that the visa places offered should be in addition to the visa places offered under the Humanitarian Programme, rather than taken from within it, to ensure that places under the Humanitarian Program remain available based on need for protection rather than financial resources and are available to all communities.

In addition, if this programme is to continue, it should also be available to applicants in all states and territories.

Question 2: What are the key considerations that should determine whether a person or organisation can propose entrants under a Community Support Programme?

The key considerations should include that the proposer has an understanding of refugee issues, either through personal experience or through working with refugee communities; an understanding of the situation entrants have come from and the challenges they may face in settling in Australia as well as the strengths they bring with them; and an understanding of settlement needs and issues for humanitarian entrants and knowledge of services available. In addition the proposer should be able to demonstrate their capacity to provide settlement support to humanitarian entrants, as well as their capacity to draw on appropriate language support where relevant (i.e. where they don't speak the language of the entrants themselves), and that they are of good character. Our understanding of the majority of cases under the CPP so far is that they have been family members in Australia applying on behalf of other family members. Such a personal connection is also an important consideration in determining whether a person or organisation is appropriate to propose entrants under this programme.

Question 3: Is the APO model appropriate for a Community Support Programme?

The APO model can be an appropriate model for the Community Support Programme, but the role and responsibilities of the APO need to be clearer than has been the case under the CPP. In addition there needs to be effective monitoring of the work of the APO and accountability for the services they provide, particularly given the significant fees they earn in administering the programme.

Question 4: What involvement could UNHCR and the Department of Immigration and Border Protection have in identifying people to propose for a humanitarian visa under a Community Support Programme?

Given that this programme is intended for proposers with family and community connections to the people they are proposing for a humanitarian visa, it is unclear what the role of UNHCR or the Department of Immigration and Border Protection could be, particularly given the high costs and

expectations of the role of the family/community to pay all expenses and support the settlement of the new entrants.

Question 5: A Community Support Programme could be targeted towards applicants with humanitarian claims who are also likely to settle more quickly upon arrival in Australia. What are the advantages and disadvantages of this approach?

It is not always easy to determine who will settle in Australia more easily, and people may react in many different ways to the challenges of settlement. Therefore, even if the programme does target applicants who are perceived as likely to settle more quickly upon arrival in Australia, there should always be a safety net to support people who face greater difficulties, especially in cases of a breakdown in the relationship between the proposer and new entrants. It is in the interests of Australian society and the economy for new arrivals to settle in Australia as effectively and quickly as possible, and to address issues new arrivals may have before they result in more long-term or chronic problems.

Advantages:

Family and community organisations may not be aware of the full range of support services, or be in a position to provide the level of support which may be required by some humanitarian entrants who require a higher level of support. By targeting those applicants who are perceived as likely to settle more quickly upon arrival in Australia, they are less likely to require a wider range of services.

Disadvantages:

Targeting applicants who are perceived as more likely to settle easily contradicts the rationale for the Humanitarian Programme to support those most in need of protection. It prioritises those applicants with access to greater financial resources, rather than those who may have a greater need for protection. Therefore, as stated in response to Question 1, if the scheme is to be continued, STARTTS considers that the visa places offered should be additional to the visa places offered under the Humanitarian Programme, rather than taken from within it.

Question 6: What are the concerns and risks with supporting humanitarian entrants who are highly vulnerable, such as women at risk or people subject to torture and trauma overseas, through a Community Support Programme?

From discussions with community members applying through the CPP we are aware that applicants who are considered vulnerable are already not being accepted, and have been rejected at the APO initial assessment stage.

As stated in response to previous questions, if this programme is not supporting highly vulnerable humanitarian entrants, STARTTS considers that the visa places offered should be additional to the visa places offered under the Humanitarian Programme, rather than taken from within it.

STARTTS considers that all humanitarian entrants, including those accepted under this programme, should have access to services to support them to deal with the impact of torture and trauma, such as the services offered by the members of the Forum of Australian Services for Survivors of Torture and Trauma (FASSTT). Given that applicants are required to meet the criteria to be granted a humanitarian visa, it is likely that they have experienced traumatic events in their own country or in the process of seeking safety in other countries, and may need support to deal with the impact of these issues.

STARTTS further considers that there should be a safety net available to provide support services if required for entrants under this programme. It is not always possible to be aware beforehand of the issues which may be experienced by entrants and the reactions they may have when faced with the

demands of settlement in a new country. There is also the potential for breakdown in the relationship between the proposer and entrants, particularly considering the high expectations placed on the proposer/s and the high level of financial demands and sacrifices on the part of the proposer to support entrants through this programme. It is in the interests of Australian society and the economy for new arrivals to settle in Australia as effectively and quickly as possible, and to address issues new arrivals may have before they result in more long-term or chronic problems.

Question 7: What are the concerns and risks with supporting humanitarian entrants who have serious pre-existing medical conditions through a Community Support Programme?

As above for Question 6.

Question 8: Humanitarian applicants under a Community Support Programme could receive priority processing. What are the advantages and disadvantages of this approach?

Applications under the pilot programme are already receiving priority processing. Priority processing is an advantage for those families/communities with sufficient funds to participate in the programme as the time between the application being made, a decision being made, and, assuming a positive decision, the humanitarian entrants arriving is considerably shorter than for those applying through the rest of the Special Humanitarian Programme. However, this represents a significant disadvantage to those families and communities who do not have the resources to participate in the Community Support Programme. Given that the visas granted through the current CPP are taken from the Special Humanitarian Programme, this represents an additional disadvantage to those who do not have sufficient funds to participate in this programme, as it means there are less places for them to apply for, and potentially longer waiting times for decisions to be made regarding their applications, and if favourable, for family members to arrive in Australia. As stated previously, STARTTS considers the most appropriate method to reduce this disadvantage is for the places offered under the Community Support Programme to be additional to the places offered under the Humanitarian Programme, rather than taken from within it.

Question 9: A Community Support Programme could target humanitarian applicants who are not linked to a family, organisation or community in Australia – and who are more likely to settle in a non-metropolitan location. What are the advantages and disadvantages of this approach?

It is unclear who would pay the associated costs and provide settlement support in this case, and if those providing support would have sufficient knowledge and experience of settlement and related issues.

Significant numbers of humanitarian entrants are already being settled in non-metropolitan locations. While this can be appropriate for some entrants and in some areas support services have developed in response to the needs of humanitarian entrants, there can also be significant issues for new arrivals in non-metropolitan areas being able to access appropriate English language training and other language support, as well as cultural and religious activities, and sufficient appropriate employment opportunities.

Question 10: What implications would the use of an AoS have on the successful settlement of humanitarian entrants? How long should the AoS last?

The vast majority of humanitarian entrants are eager to find employment and become self-sufficient as soon as possible, and do not need the kind of “encouragement” suggested by the introduction of an Assurance of Support to enter the Australian workforce. STARTTS considers humanitarian entrants will settle more effectively and make a more significant long-term contribution to Australian society and economy if they are given the opportunity to learn English (if necessary) and, where possible, find employment in a field relevant to their skills and experience, rather than taking

any job as soon as they arrive to avoid the costs associated with an AoS. Learning adequate English to function effectively in Australian society is crucial for effective settlement, and should not be sacrificed for short term financial reasons.

Introducing an Assurance of Support may also lead to a greater risk of tension and breakdown in the relationship between the proposer/s and entrant/s given the imposition of significant additional costs on the proposer, and pressure on the entrant/s to take any kind of job to avoid the costs associated with an AoS, rather than looking for a more appropriate long-term job. Any breakdown in the relationship is likely to have a negative effect on the successful settlement of the humanitarian entrants. Given the high cost of housing in many areas in Australia, it would be difficult for new arrivals to find their own accommodation unless they had a job, meaning they may continue living with the proposer longer than may have originally been intended. Continuing to live with the proposer for a protracted period could reduce the potential for the new arrivals to become independent and self-sufficient, and again may lead to a greater risk of tension and breakdown in the relationship between the proposer/s and entrant/s.

Question 11: What implications would the use of an AOS have on a humanitarian client's proposer in Australia?

Proposers are already facing considerable financial imposts in paying for the visa application charges, airfares, medical assessments, providing on-arrival accommodation, basic household goods and clothing, and other expenses associated with the programme. STARTTS is aware that some proposers have taken out significant loans to be able to cover these costs under the CPP. The introduction of an AoS in addition to these costs would significantly increase the financial burden on the proposer. This in turn could create pressure on the humanitarian entrant from the proposer, for example to find work or otherwise contribute financially, and could lead to a breakdown in the relationship between the proposer/s and entrant/s, which may inhibit effective settlement of the entrant/s.

As outlined above, the introduction of an AoS would increase the difficulty for new arrivals to find their own accommodation unless they had a job, meaning they may continue living with the proposer longer than may have originally been intended, leading to the potential for greater risk of tension and breakdown in the relationship between the proposer/s and entrant/s, and reduced potential for new arrivals to become independent and self-sufficient.

While the proposer may have appropriate knowledge and experience in assisting new entrants to settle, they may not have the specific knowledge required to assist new entrants to enter the Australian labour market in an appropriate field relevant to the skills and experience of the new arrival. Therefore it would be important for the humanitarian entrants to be able to access *jobactive* and other relevant labour market services.

Question 12: How can people proposed under the Community Support Programme be better assisted into employment?

STARTTS considers people proposed under the Community Support Programme can be best assisted into employment by ensuring that they have access to the Adult Migrant English Programme (AMEP) and other English language programmes, and full access to labour market programmes such as *jobactive*. We also consider it vital that organisations providing labour market programmes, such as *jobactive*, provide appropriate services to refugees and humanitarian entrants. From our experience of previous iterations of labour market programmes through the Job Network and Job Services Australia, services have often not been sufficiently aware of and sensitive to the needs of refugees, particularly torture and trauma survivors.

Question 13: What are the implications of applying a VAC to applications under a Community Support Programme?

The VAC represents a considerable cost for the proposer, in addition to all the other expenses the proposer is required to pay under the programme. As stated previously, the costs involved advantage more established and better-off communities, and disadvantage more newly arrived communities. STARTTS is aware that members of all communities remit money overseas to support family members in humanitarian situations; however, the high level of the VAC, in addition to the other upfront and ongoing costs of sponsoring family members, means that this programme is not attainable for many communities and community members. As stated previously, if the VAC is applied, the visa places offered under the Community Support Programme should be outside the Humanitarian Programme allocation.

Question 14: How much should the VAC be and why?

As stated previously, we consider that if the VAC is applied the visa places offered under the Community Support Programme should be outside the Humanitarian Programme allocation.

Question 15: What are the advantages and disadvantages of using a VAC in conjunction with an AoS?

Given the current cost of the VAC and the other expenses the proposer is required to pay such as medical assessments, airfares, initial accommodation and settlement support, the imposition of an AoS in addition would be a significant additional cost and would limit still further the availability of the programme to communities and families.

Question 16: What settlement responsibilities should proposers under a Community Support Programme have and what undertakings should proposers be required to give?

The settlement responsibilities of proposers and the time period they are expected to provide support (12 months) under the current CPP are reasonable. However, there needs to be a safety net if there are significant problems affecting the effective settlement of the new arrivals. This could take the form of additional support from the APO, or being referred to HSS providers for additional settlement support. Any entrants who require support in relation to the impact of their torture and trauma experiences should have access to appropriate services, such as those provided by the members of the Forum of Australian Services for Survivors of Torture and Trauma (FASSTT), at any time after their arrival.

Proposers should be required to give an undertaking that they will support the new arrivals with the settlement tasks required to the best of their ability. However, they also need to be able to call on additional support, as discussed above, if it is required to ensure the effective settlement of the new arrivals. Circumstances under which this may be required may include a change in the circumstances of the proposer, such as serious illness or loss of employment; entrants requiring a greater level of support than anticipated; or a serious breakdown in the relationship between the proposer and entrant/s.

Consideration should also be given to training and/or information sessions for proposers before the humanitarian entrants they have sponsored arrive, to ensure they are fully aware of their responsibilities and the range of services available. This could be co-ordinated by the APOs.

Question 17: What are the benefits or challenges with having community members and organisations provide settlement support to humanitarian entrants under a Community Support Programme?

Benefits:

The benefits of community/family members provide settlement support is that they generally speak the language of the humanitarian entrants and understand the cultural issues, though this can depend on how long they have been in Australia and if they were born in Australia or overseas. Family members in particular often have a close connection and relationship with the people they are supporting.

The benefit of having an organisation provide settlement support is that they can spread the load of the tasks required to support entrants among different members. On the other hand, this can also lead to fragmentation, inconsistent information and support, and a lack of accountability. There needs to be good co-ordination within the organisation, and between the organisation and the entrants.

Challenges:

From the experience of the CPP, it is the more established communities which can afford the significant costs involved in applying to sponsor humanitarian entrants under this programme. Therefore it may be some time since community members have arrived and settled in Australia, and they may not be aware of current services available. They may also not have arrived in Australia as humanitarian entrants themselves, so may not understand the particular issues for humanitarian entrants and additional challenges they may face.

Sponsoring organisations may not include members from the same cultural or religious background, so may face communication difficulties and cultural misunderstandings.

As mentioned above, training or information sessions for proposers could assist maximise the benefits and minimise the challenges.

Question 18: How can entrants under a Community Support Programme be better assisted towards self-sufficiency as soon as possible after their arrival in Australia?

This could be achieved by adequate monitoring of the services provided by proposers to ensure entrants receive the information and support they require, and by ensuring there is an effective safety net available to support entrants if there are significant problems affecting their settlement.



Australian Government
**Department of Immigration
and Border Protection**

Summary of Feedback

The Community Sponsorship Programme discussion paper

(July 2015)

Introduction

On 3 June 2015, Minister Dutton agreed for the Department of Immigration and Border Protection (the Department) to undertake public consultations on the potential implementation of a Community Sponsorship Programme (CSP) under Australia's Humanitarian Programme.

On 15 June 2015, the department published a discussion paper seeking comment on a number of important factors and issues associated with the design of a CSP, and some possible features of the programme. This summary outlines the key themes and suggestions submitted by stakeholders in response to the discussion paper.

Executive summary

- A total of 17 submissions were received.
- Stakeholder feedback to the discussion paper suggests that community organisations strongly support the implementation of a CSP as an alternative resettlement pathway for families and communities who are able to provide social and financial settlement support for new arrivals.
- Although the discussion paper did not specifically ask whether the CSP should sit outside the Humanitarian Programme, 13 respondents independently advocated for this to occur.
- Most respondents argued that certain proposed features of the CSP diluted the humanitarian nature of the existing programme, therefore giving grounds for CSP places to be additional to the standard Humanitarian Programme allocation.
- Many organisations commented on the social benefits of having refugee communities support newly-arrived humanitarian entrants, provided an adequate safety net was available.
- Stakeholders also indicated interest in seeing more involvement from smaller community organisations, an expansion of the APO network, and retention of the standard humanitarian eligibility criteria.
- Of the 15 organisations which commented about the introduction of an AoS, 14 were opposed to it, and one was in favour.
- Most organisations felt that any VAC fees should be set at a low level.

General comments on the introduction of a CSP

Is a Community Support Programme (CSP) supported?

Feedback suggests that, overall; there is support for a CSP however the following caveats were put forward:

- Visa places should be additional to those offered in the standard Humanitarian Programme.
- There is a perception that the CSP is a cost cutting scheme.
- To ensure equity of access, the CSP should be available in all states.
- Applications should be prioritised according to humanitarian need.

Should a CSP be inside or outside the Humanitarian Programme?

Although the discussion paper did not specifically ask whether the CSP should sit outside the Humanitarian Programme, 13 respondents independently advocated for this to occur. This suggests that there is strong support for creating the CSP as an additional stream to the Humanitarian Programme. The following reasons were given:

- If highly vulnerable and complex needs cases are not eligible, keeping a CSP part of the Humanitarian Programme undermines its humanitarian nature.
- Visa places under the Humanitarian Programme should remain available to people with an urgent need for protection, rather than those who have family or friends with financial resources.
- If the CSP remains in the Humanitarian Programme it will disadvantage those who cannot afford to access the scheme, especially considering CPP applications are assessed with priority.

General reflections on the Community Proposal Pilot (CPP)

Some general reflections included:

- An independent evaluation of the CPP should occur prior to a CSP being rolled out.
- Lack of awareness/publicity around the CPP has led to problems addressing client expectations generated by misinformation.
- The APO business model including proportional risk, legal liability and funding structures places unfair burden on APOs.

Who should be able to propose humanitarian clients, and what attributes are important?

There was unanimous support for both families and community organisations to be able to propose people under the CSP. The key proposer attributes that were suggested include:

- the strength and currency of the relationship between proposer and applicant
- financial capacity
- ability to secure accommodation in a competitive rental market
- settlement experience
- social capital
- strategies for finding employment
- long term commitment to respond to settlement challenges.

In regard to possible sponsoring community groups, Refugee Council of Australia suggested:

- volunteer-based community organisations with a proven record in supporting refugee and humanitarian entrants to settle in Australia, such as Sanctuary refugee support groups
- organisations established by former refugees which have connections and provide various forms of support to refugee communities in Australia and overseas, and
- humanitarian and faith-based community organisations which have a social justice outlook are involved in the delivery of social services and have a resource base which would make them well-suited to fulfilling the role of a sponsor group.

How can the existing APO model be tailored to better suit a CSP?

The APO model received significant support, with the following variations being suggested:

- Expand the number of APOs, to have one service provider per state/territory.
- Allow community organisations to lodge CSP applications independently, rather than through an APO.
- APOs should not assess applications; this role should lie with the department.
- APOs should have additional funding to ensure clients receive sufficient/high quality settlement support and monitor settlement outcomes.
- The department should undertake monitoring and quality assurance activities of APOs and the services they provide, given the significant fees they earn in administering the programme.
- The role of SCOs needs to be clarified, and greater involvement from these groups should be facilitated.

Who should be eligible for a humanitarian visa in a Community Support Programme?

Key themes commonly raised were:

- Maintain existing humanitarian criteria for eligibility (including being subject to persecution or substantial discrimination).
- 'In-country' applications should be accepted.
- A family connection should be required – utilising a broad definition of 'family'.

Should the CSP target applicants likely to settle more quickly than vulnerable applicants?

Overall, organisations were not supportive of using employability, health, age, English proficiency as factors for determining eligibility for a CSP. The key points raised include:

- The highly vulnerable should not be settled through CSP.
- The CSP should not target people on the basis of how quickly they might settle.
- Stricter health requirements should not be used as eligibility criteria due to the logistical difficulties associated with implementing in-depth medical screening.
- Eligibility should *only* be based on refugee status, family/community links, and the support the family/community can provide.
- Targeting applicants may lead to a perception that the CSP is discriminatory.

Priority processing

There was mixed support for priority processing. A small number of organisations felt that it offered the CPP a point of difference, which proposers are happy to pay for. However, the majority of organisations were opposed to it, general sentiments included:

- Priority processing will lead to community concerns around the integrity/transparency/equity of the Humanitarian Programme.

- CPP applications should receive the same processing priority as the SHP (humanitarian need being the primary criterion for prioritisation).
- Priority processing advantages those who can pay and disadvantages those who can't, as these visas are still being taken from the Humanitarian programme (as opposed to a separate allocation).

Could the CSP be used to settle people with no links in Australia to regional areas?

Generally there is support for regional settlement, however most organisations felt that more settlement support is required for unlinked people in regional areas compared to metro areas. As such, organisations felt that regional settlement could work where there are adequate support services available, and community support.

Should a Community Support Programme include an Assurance of Support (AOS) requirement?

Of the 15 organisations which commented, 14 were opposed to an AOS, and one was in favour. Organisations raised concerns that an AOS would:

- undermine the intent of the Humanitarian Programme
- place undue pressure on the sponsor/entrant relationship, which could lead to a breakdown, and
- compound existing financial hardship suffered by refugee communities.

The Refugee Council of Australia suggested that the CSP VAC should be significantly lower than the CPP; if so, this would allow a 12 month AoS requirement to be applied. The AoS would cover settlement costs during the first 12 months of arrival in Australia, however not the costs associated with income support.

Approaches to assist securing employment

Family and community links were consistently regarded as the most effective way for refugees to gain work experience and employment.

The existing employment services were not well regarded. It was noted that they should be retained but need to be improved so that the provider demonstrates cultural awareness, and is sensitive to the needs of refugees, particularly torture and trauma survivors.

The need for a better system for qualification and skills recognition was also mentioned.

What is the role of communities in contributing to the Community Support Programme?

The comments under this section largely related to the VAC, and included:

- the VAC creates a significant amount of financial pressure on the proposer, the cost needs to be reduced
- having a VAC and AOS would make this programme unattainable for a lot of people
- people shouldn't have to pay for a humanitarian visa as it is against the ethos of the Humanitarian Programme.

Some suggestions included:

- The VAC to be the same cost as a skilled migration or partner visa (which is more affordable and doesn't compromise the values of the Government).
- The bulk of fees could be incurred at the time of visa grant.
- A concession for larger families.

What settlement support should be available for humanitarian entrants under a community support programme?

Organisations were very supporting of family and community organisations providing settlement services due to associated benefits such as the refugee having close contact with someone from their own cultural/linguistic background, and the proposer's social networks and previous personal experience settling in Australia.

If the programme did not have access to HSS, most organisations felt that a safety net would be required in case the proposer is unable to provide the adequate assistance. This would include access to torture and trauma services and Complex Case Support.

Continuing access to employment services and AMEP at no cost was highlighted by most organisations.

Some suggestions included:

- APOs to conduct training and/or information sessions for proposers before the entrant/s arrive.
- If HSS is not part of the programme, sponsors should have the option of paying for it where they are unable to provide the support themselves.
- Maintain full access to HSS.

Assistance achieving self-sufficiency

Some suggested strategies for assisting refugees to become self-sufficient quickly included:

- Regular meetings between the APO, proposer and refugee in the first six months after arrival. This will allow the APO to monitor progress towards key competencies and orientation requirements. These competencies and requirements could be adapted from those required under HSS.
- Settlement competencies and orientation could be delivered in a staged but comprehensive way after arrival (as currently occurs in HSS).
- APOs could develop and deliver a standard initial orientation programme over a short time period. The sessions would be attended by both the Proposer/SCO and the refugee. Interpreters would be engaged to ensure clear understanding.

Agency feedback

Community Support Programme (CSP) discussion paper

Contributing organisations

No.	Organisation	Contact	Date of submission
1	Australian Churches Refugee Taskforce (ACRT)	[REDACTED]	26/7/2015
2	Settlement Council of Australia	s. 47F(1) [REDACTED]	15/07/2015
3	Adelaide MRC	s. 47F(1) [REDACTED]	10/07/2015
4	s. 47G(1)(a) [REDACTED]	s. 47F(1) [REDACTED]	13/07/2015
5	AMES	s. 47F(1) [REDACTED]	13/07/2015
6	Sanctuary Australia Foundation	[REDACTED]	15/07/2015
7	Brotherhood of St Laurence	[REDACTED]	15/07/2015
8	Refugee Council of Australia	s. 47F(1) [REDACTED]	15/07/2015
9	NSW Service for the Treatment and Rehabilitation of Torture and Trauma survivors (STARTTS)	s. 47F(1) [REDACTED]	15/07/2015
10	Settlement Services International	[REDACTED]	16/07/2015
11	Illawarra Multicultural Services	s. 47F(1) [REDACTED]	20/07/2015
12	s. 33(b) [REDACTED]	s. 47F(1) [REDACTED]	21/07/2015
13	Melaleuca Refugee Centre NT	s. 47F(1) [REDACTED]	20/07/2015
14	NSW STARTTS	s. 47F(1) [REDACTED]	15/07/2015
15	The Sabian Mandaean Association	s. 47F(1) [REDACTED]	15/07/2015
16	Law Institute of Victoria	[REDACTED]	22/07/2015
17	GMH Legal	George Hanna	16/07/2015

General comments on the introduction of a CSP

Is a CSP supported?

Org	Key comments
Australian Churches Refugee Taskforce (ACRT)	<ul style="list-style-type: none"> ACRT would actively support the programme being extended if: <ul style="list-style-type: none"> places were additional to the annual humanitarian intake applicants were prioritised on the basis of humanitarian need, rather than being on a first-come-first-served basis, or on the speed at which they can muster the funds (understanding that it is a fee-for-visa program).
Law Institute of Victoria	<ul style="list-style-type: none"> The Law Institute of Victoria supports the underlying objective of the Community Support Programme, which seeks to increase Australia's capacity to resettle individuals in humanitarian situations overseas. Program should genuinely increase Australia's capacity to resettle those in humanitarian situations. It should not 'privatise' the humanitarian program, pushing costs onto community organisations which should be borne by government.
s. 33(b)	<ul style="list-style-type: none"> s. 33(b) welcomes consideration by DIBP of additional humanitarian avenues that may expand existing protection capacity.
AMES	<ul style="list-style-type: none"> Strongly supports the expansion of the Humanitarian Programme through the introduction of a CSP. Places available in a CSP should be increased.

Should a CSP be inside or outside the Humanitarian Programme?

Org	Key comments
Brotherhood of St Laurence	<ul style="list-style-type: none"> A Community Support Programme should be an additional stream to the Humanitarian Programme, without any reduction of places available in the latter.
Refugee Council of Australia	<ul style="list-style-type: none"> De-link CSP from the Humanitarian Programme – as highly vulnerable/complex needs cases are not eligible. Maintaining the link skews the focus of the Humanitarian Programme, which prioritises people for resettlement based on need. CSP carries a far lower cost for the government; as such the number of visas available under the program could be significantly expanded. An uncapped CSP could also be explored, depending on the costs involved.
NSW STARTTS	<ul style="list-style-type: none"> CSP visa places should be in addition to those offered under the Humanitarian Programme, rather than taken from within it, to ensure that places under the Humanitarian Program remain available based on need for protection rather than financial resources and are available to all communities.

Settlement Services International	<ul style="list-style-type: none"> The CSP, if it is implemented, must be an additional fixed number of places, outside of the core the Humanitarian Programme intake. If it is to remain within the Humanitarian intake then a specific quota should be specified and the humanitarian intake increased by that quota so that it does not diminish humanitarian places for those most vulnerable. CPP/CSP sit outside Hum programme – which is guided by recipient need and vulnerability (not fee-for-service).
s. 33(b)	<ul style="list-style-type: none"> s. 33(b) recommends the proposed CSP be an additional component complementary to, rather than included within, the existing Humanitarian Programme.
Melaleuca Refugee Centre NT	<ul style="list-style-type: none"> The CSP visa quota should be additional to the annual Humanitarian Program allocation not deducted from it.
NSW STARTTS	<ul style="list-style-type: none"> Places should be additional to standard Humanitarian Programme.
AMES	<ul style="list-style-type: none"> AMES strongly recommends CSP places be allocated outside the current Humanitarian Programme to allow maximum access for those who are not able to pay, but who remain in desperate need of protection and family reunion.
Law Institute of Victoria	<ul style="list-style-type: none"> CSP should increase the number of places under the Humanitarian Programme — additional to the overall quota.

General reflections on the Community Proposal Pilot (CPP)

Org	Key comments
Australian Churches Refugee Taskforce (ACRT)	<ul style="list-style-type: none"> ALP Senators/Backbenchers/members of parliament have not heard of the CPP. DIBP and APOs need to ensure bipartisan support for the continuation of the programme.
Settlement Council of Australia	<ul style="list-style-type: none"> There is a need for the Humanitarian Programme and APOs to stay focussed on the values of refugee protection. Independent evaluation of the CPP should occur prior to a CSP being rolled out. Refugee communities are subject to their own internal political pressures, CPP has been known to exacerbate this. In the long term CSP may have significant impacts on the nature, scope, location and size of refugee communities. APOs are bearing significant programme costs - addressing enquiries which do not lead to applications due to the small numbers of visas available under the programme. Lack of awareness/publicity about CPP leads to problems around addressing client expectations generated by misinformation. Legal constraints and risk factors create additional pressures for APOs, and limit the development of regional partnerships. The business model including proportional risk, legal liability and funding structures places unfair burden on APOs.
Brotherhood of St Laurence	<ul style="list-style-type: none"> The Department should actively encourage the development of APOs in each state and territory to ensure equity of access to a Community Support Programme.

Refugee Council of Australia	<ul style="list-style-type: none"> • There is a perception that CPP is a cost cutting scheme. • DIBP should overhaul ref and hum family reunion options by developing a Humanitarian Family Reunion Program that is separate from the Refugee and Humanitarian Programme and the family stream of the Migration Program. • Conduct a public review of the CPP, in the interests of greater transparency around CPP processes and outcomes, and building confidence in a future CSP.
Settlement Services International	<ul style="list-style-type: none"> • An external evaluation of settlement outcomes in the CPP be commissioned by the Department and made available to stakeholders prior to the implementation of the proposed CSP.
s. 33(b)	<ul style="list-style-type: none"> • The current CPP provides an alternate resettlement pathway, rather than expanding overall resettlement capacity.
Melaleuca Refugee Centre NT	<ul style="list-style-type: none"> • An independent, high quality evaluation of the CPP is required prior to expansion of the programme. • The CSP should be available in all states and territories.
AMES	<ul style="list-style-type: none"> • Current CPP is within overall Humanitarian Programme so it disadvantages those who cannot afford to access the programme, especially considering CPP applications are assessed with priority.

Who should be able to propose humanitarian clients, and what attributes are important?

Org	Key comments
Adelaide MRC	<ul style="list-style-type: none"> • Suitable proposers are communities actively supporting refugee families financially and emotionally. • Proposer attributes include citizenship status, financial capacity, their own settlement outcomes, close sponsor relationship to ensure ongoing commitment to settlement and avoid exploitation. • Proposing organisations should include a well-established community base, experience/knowledge of refugee, humanitarian and settlement work, work closely with APOs to allow effective monitoring and accountability.
Sanctuary Australia Foundation	<ul style="list-style-type: none"> • Communities should identify people to propose. • Key proposer attributes - relationship to the proposed entrant, their reputation and community standing, previous experience providing settlement support to humanitarian entrants, previous experience in finding humanitarian entrants paid employment in the labour market, and their capacity to support humanitarian entrants. • Overseas Posts could propose people.
Brotherhood of St Laurence	<ul style="list-style-type: none"> • Individuals, families and community groups should continue to be able to propose humanitarian entrants under a Community Support Programme.

Refugee Council of Australia	<ul style="list-style-type: none"> • Volunteer-based community organisations with a proven record in supporting refugee and humanitarian entrants to settle in Australia, such as Sanctuary refugee support groups • Organisations established by former refugees which have connections and provide various forms of support to refugee communities in Australia and overseas • Humanitarian and faith-based community organisations which have a social justice outlook, are involved in the delivery of social services and have a resource base which would make them well-suited to fulfilling the role of a sponsor group.
NSW STARTTS	<ul style="list-style-type: none"> • Proposers should have an understanding of: <ul style="list-style-type: none"> ○ refugee issues (personal experience or through working with refugee communities) ○ settlement needs and issues for humanitarian entrants and knowledge of services available. • Proposers should be able to demonstrate their capacity to: <ul style="list-style-type: none"> ○ provide settlement support to humanitarian entrants ○ draw on appropriate foreign language/translator support where relevant. • Proposers should be of good character, and have a personal connection with the entrant/s.
Settlement Services International	<ul style="list-style-type: none"> • There is value in communities being able to propose and they can provide a lot of the services required, however they need to be financial. There is no guarantee that appropriate settlement supports will be provided by the proposer or APO. • UNHCR and DIBP should not be involved in identifying entrants under the programme.
Illawarra Multicultural Services	<ul style="list-style-type: none"> • Communities in Australia should be able to propose people for a humanitarian visa under a CSP. • CSP proposer attributes: <ul style="list-style-type: none"> ○ the strength and currency of the relationship between proposer and applicant ○ financial capacity, ability to secure accommodation in a competitive rental market ○ experience ○ social capital ○ strategies for finding employment ○ long term commitment to respond to settlement challenges.
s. 33(b)	<ul style="list-style-type: none"> • Eligibility of sponsors be guided by family and/or community connections to refugees/others being proposed for sponsorship. • Proposers should be Australian citizens, permanent residents, or organizations or eligible New Zealand citizens. • Prospective proposers should be screened to ensure they can provide economic, material and social support required for meaningful settlement.
The Sabian Mandaean Association	<ul style="list-style-type: none"> • Allowing communities to identify people to propose is optimal as these communities are well-placed to understand the circumstances and needs of the individual overseas. Identification of applicants should not just be linked to families as this disadvantages those who may be in great need, but do not have a direct family connection. • There is also a role for UNHCR and DIBP to identify people for proposal under a CSP.

Law Institute of Victoria	<ul style="list-style-type: none"> IMAs and UAs should not be excluded from proposing under the CSP. In the CPP individuals are able to bypass SCOs entirely and approach APOs directly. This undermined the CPP's community-based focus, as settlement outcomes ceased to focus on community involvement and support. Because of these reasons, as well as the extraordinarily fast processing times, the CPP was viewed by some community members as a priority processing fee (or even a fee effectively guaranteeing a visa), available only to well-established and well-resourced communities, rather than an inclusive community support model. The risk of unsuccessful applications can be reduced by ensuring that the organisations sponsoring refugees are engaged with migration lawyers. Sponsoring agencies need to have strong links, and work with those communities before any EOI process, in order to broaden participation in the program and target sponsorship to those who need it most.
GMH Legal	<ul style="list-style-type: none"> Proposers will ideally need to ensure that they have a network of contacts, employment options, language courses, resettlement services, cultural orientation, adequate housing and access to social services. Having Australian community members/organisations provide settlement support services enhances the sense of belonging, newcomers get a quick response, have established resources/knowledge regarding housing, schooling and general welfare services to cushion the often difficult resettlement process.

How can the existing APO model be tailored to better suit a CSP?

Org	Key comments
Adelaide MRC	<ul style="list-style-type: none"> Supportive of the current APO model being used in the Community Support Programme. DIBP to monitor and maintain current standards and service integrity. Expand the APOs, to have one service provider per state/territory, with NSW/VIC having 2-3 APOs. APOs should be funded to ensure clients receive sufficient/high quality settlement support.
s. 47G(1)(a)	<ul style="list-style-type: none"> Maintain APOs, however only have family as proposers (this will streamline the process).
Sanctuary Australia Foundation	<ul style="list-style-type: none"> The APO model does not require an overseeing body, SCOs should be able to make decisions as a team.
Refugee Council of Australia	<ul style="list-style-type: none"> Under the CSP, the number and/or capacity of APOs should be significantly expanded to enable lodgement of applications by proposers based in any state or territory of Australia and in both metropolitan and regional areas.

	<ul style="list-style-type: none"> Consider allowing organisations to lodge CSP applications independently, rather than through an APO. All people proposed under the CSP should receive routine needs assessments during the initial period of settlement to ensure that they are receiving adequate on-arrival support.
NSW STARTTS	<ul style="list-style-type: none"> The APO model could work in the CSP, however the role and responsibilities of the APO need to be clearer and there needs to be effective monitoring of the work of the APO and accountability for the services they provide, particularly given the significant fees they earn in administering the programme.
Settlement Services International	<ul style="list-style-type: none"> The current APO model is appropriate for CSP, but design and implementation should be informed by external review. APOs should not assess applications.
Illawarra Multicultural Services	<ul style="list-style-type: none"> The APO model can be further refined to administer a CSP. The APO model is the crucial link between the Community and Government (The Department). The establishment of additional 'layers' within the system (whether volunteer-based or community/faith-based) would lead to higher monitoring/compliance costs for the Department and/or the APO.
The Sabian Mandaean Association	<ul style="list-style-type: none"> The APO model being used in the CPP is appropriate. Allowing any organisation to propose would create too much congestion. The APO model can place a lot of strain on the designated proposing organisation from within their communities.
AMES	<ul style="list-style-type: none"> APO model is workable and appropriate for the Community Support Programme — it is impartial and rigorous. Should be one APO in each state and territory to conduct assessments and manage applications from proposers in that state.
Law Institute of Victoria	<ul style="list-style-type: none"> APO model should be retained, but improved to ensure that they are not acting as migration agents (and are appropriately engaged with migration lawyers), and that they have additional funding to monitor settlement outcomes.

Other comments

Org	Key comments
Adelaide MRC	<ul style="list-style-type: none"> Expand the number of places available (makes it more economically viable for APOs).
Refugee Council of Australia	<ul style="list-style-type: none"> DIBP needs to work with refugee community organisations and other community groups to clarify the role of SCOs in the CSP and facilitate greater involvement of these organisations in the programme.
NSW STARTTS	<ul style="list-style-type: none"> High costs limit individual's ability to access the CPP. Under the CSP, applicants in all states should be able to apply.
s. 33(b)	<ul style="list-style-type: none"> Sponsors should be required to sign an agreement with DIBP and be regularly monitored, perhaps in partnership with the HSS programme.
AMES	<ul style="list-style-type: none"> There is a potential for an increased role of SCOs in a full programme to link clients with employment and other resources.

Who should be eligible for a humanitarian visa in a Community Support Programme?

Org	Key comments
s. 47(1)(a)	<ul style="list-style-type: none"> Maintain eligibility for humanitarian visas as is (persecution and discrimination).
Settlement council of Australia	<ul style="list-style-type: none"> Focus the programme on reuniting families who would otherwise be unlikely to gain entry to Australia through any other visa programme, who are in dangerous and vulnerable situations. In-country applicants should be eligible.
s. 33(b)	<ul style="list-style-type: none"> A family connection should be required — though utilising a broad definition of ‘family’. Identification of refugees in the CSP should be sponsor-driven, not s. 33(b) -driven. s. 33(b) recommends that eligibility be assessed with primary reference to vulnerability and the individual protection circumstances of given applicants in respective countries of asylum.
AMES	<ul style="list-style-type: none"> CSP applicants should be required to meet all criteria for a humanitarian visa.
Law Institute of Victoria	<ul style="list-style-type: none"> In-country applications should be permitted.
Settlement Services International	<ul style="list-style-type: none"> In-country entrants should be considered under CSP.

General comments

Org	Key comments
Settlement council of Australia	<ul style="list-style-type: none"> In conjunction with settlement agencies, DIBP needs to develop guidelines for determining ‘high needs’ and the capacity of families to support them.
Illawarra Multicultural Services	<ul style="list-style-type: none"> In a CSP, all applicants would be mandated by UNHCR to ensure applicants have met the criteria for consideration. DIBP would ensure that clearances are obtained for security risks and health related issues (those conditions that pose a risk to the community) with respect to the applicants being appropriately verified. In addition, the Department would assist the APO’s with all security and other relevant ‘clearances’ for the proposer(s), prior to an application being lodged.

Should the CSP target applicants likely to settle more quickly, and vulnerable applicants?

Org	Key comments
Adelaide MRC	<ul style="list-style-type: none"> Do not support making visa grants based on refugees who will settle more quickly. The highly vulnerable shouldn't be settled through CSP – risk that they become targets for sexual/physical/economic exploitation. They require specialist settlement services. There is risk that longer settlement processes will put financial pressure on the sponsor as well as on relationships which could result in referral to DSS Complex Case Support Service. Those with serious pre-existing medical conditions may lead to slow settlement and long term social and economic burdens on the proposer, which could result in them opting out.
Settlement council of Australia	<ul style="list-style-type: none"> Concerns around using stricter health requirements as eligibility criteria due to difficulties with diagnosing serious medical conditions. Question how in-depth medical screening would be practically implemented, and what the subsequent impacts might be (esp. given that the programme was designed to offer refugee protection).
Sanctuary Australia Foundation	<ul style="list-style-type: none"> Refugees with English language proficiency and employment settle more quickly and easily. Women at risk and torture victims are usually happier to settle in a smaller, safer community which offers ongoing community support and care. People with serious pre-existing medical conditions must be carefully settled in an area with the appropriate health care facilities to ensure that their condition is managed. Most settlement teams have a nurse or doctor on their board.
Brotherhood of St Laurence	<ul style="list-style-type: none"> Eligibility for a humanitarian visa in a Community Support Programme should be based on refugee status, strong family links in Australia and the capacity of the family to provide comprehensive support and not on other considerations such as employability, health, age, English proficiency etc.
Refugee Council of Australia	<ul style="list-style-type: none"> The CSP should not place restrictions on eligibility relating to a person's: <ul style="list-style-type: none"> likelihood of settling quickly upon arrival in Australia, on the basis of criteria such as English language skills, age or employment skills and qualifications vulnerability or complexity of their needs, provided that their proposer can demonstrate capacity to provide adequate settlement support links to individuals who previously arrived in Australia by boat.
NSW STARTTS	<ul style="list-style-type: none"> If the programme is not supporting highly vulnerable humanitarian entrants (including those with health concerns), the visas offered should be additional to the Humanitarian Programme, rather than taken from within it.
Settlement Services International	<ul style="list-style-type: none"> Apart from health, character and security requirements, there should be no other targeting of entrants. Screening on subjective factors carries a risk of a lack of transparency in the criteria underpinning decision making. Apply a uniform and consistent approach to the health requirement in all streams of the migration program, including CSP.

Illawarra Multicultural Services	<ul style="list-style-type: none"> Targeting applicants could achieve better settlement outcomes in a shorter time frame, fewer relationship break downs, reduction in monitoring/compliance costs for DIBP and APO, better cohesion within family groups/communities, adds to feasibility of increasing annual intake. Targeting of applicants may also give the perception that a CSP is 'discriminatory' as it focuses on those that only pose a 'lower settlement risk'. The challenges with adequately screening/identifying applicants who are 'likely to settle more quickly'.
s. 33(b)	<ul style="list-style-type: none"> s. 33(b) recommends that access to places within the existing Humanitarian Programme not be limited according to factors relating to settlement prospects, including language ability or high needs. Should be a diversity of humanitarian caseloads, and a balanced distribution of profiles (women, men, children, families, single), so as to not prejudice particular refugee groups against others who may be perceived as having better integration potential.
Melaleuca Refugee Centre NT	<ul style="list-style-type: none"> It is difficult to ascertain which applicants are likely to settle more quickly if people are from a refugee background. Age, English language, and stricter health requirements are discriminatory and at odds with humanitarian values.
Sabian Mandaean Association	<ul style="list-style-type: none"> Does not support English, age, or skills requirements as this would be discriminatory, and may suggest the applicant does not have a humanitarian claim.
AMES	<ul style="list-style-type: none"> Eligibility should not include the ability to speak another language (in this case English), a person's age or health requirements stricter than those already in place. It is the proven capacity of the proposer and the rigor of the APO's assessment that should count in the CSP, rather than additional criteria or characteristics attached to the applicant (beyond the existing criteria for all humanitarian applicants).
Law Institute of Victoria	<ul style="list-style-type: none"> CSP applicants should be subject to no stricter eligibility criteria than existing ref and hum criteria. Eligibility should be targeted to support those who need it most, rather than operate on a purely 'first in, first served' basis.
GMH Legal	<ul style="list-style-type: none"> Targeting applicants will not achieve better/quicker settlement outcomes. Refugees shouldn't have to demonstrate English proficiency for a Humanitarian Visa. It would be difficult to draw a line between which applicants are vulnerable people and which are not.

Priority processing

Org	Key comments
Adelaide MRC	<ul style="list-style-type: none"> Priority processing will lead to the community questioning the integrity/transparency/equity of the Humanitarian Programme. Priority processing would lessen the queue for humanitarian applicants who don't have families to sponsor them, also address community concern around family reunion.

Sanctuary Australia Foundation	<ul style="list-style-type: none"> Priority processing would be helpful – clear time frames allow training and preparing the community support team easier.
Refugee Council of Australia	<ul style="list-style-type: none"> Applications lodged under the CSP should receive the same processing priority as applications lodged under the SHP, with humanitarian need being the primary criterion for prioritisation under both programmes.
NSW STARTTS	<ul style="list-style-type: none"> CPP priority processing is advantageous for those that can afford it, and disadvantages those who can't. The latter are further disadvantaged as they can't apply yet the visa places are being taken from the only pool that they are eligible for (broader Hum programme).
Settlement Services International	<ul style="list-style-type: none"> As proposed in the CSP, priority processing seems to be based solely on the capacity and willingness of the proposer to pay, not on any need.
GMH Legal	<ul style="list-style-type: none"> Priority processing could result in negative community perceptions that priority is being given to those refugees whose family/community can pay the fees, rather than on fundamental principles of equality. Priority processing under CPP has been a welcome component, avoids refugees being forced to languish for long periods of time in situations where they face insecurity and hardship. Relieves pressure on their family Australia.
Melaleuca Refugee Centre NT	<ul style="list-style-type: none"> Priority processing, particularly when places are drawn from the Humanitarian Programme, benefits those with the ability to pay, and disadvantages those more vulnerable.
Sabian Mandaean Association	<ul style="list-style-type: none"> Priority processing disadvantages those who may have a more pressing claim.

Could the CSP be used to settle people with no links in Australia to regional areas?

Org	Key comments
Adelaide MRC	<ul style="list-style-type: none"> Positive – there may be more skill-suited work available, better sense of belonging in small communities, permanent work may result in smaller communities supporting the applicant in a more coordinated way. Negative – insufficient settlement support or established ethnic communities in smaller regional areas, seasonal work cannot support families, transport/accommodation is difficult, not enough mainstream services (health, transport, education).
Sanctuary Australia Foundation	<ul style="list-style-type: none"> People with no links generally settle well in regional areas. Kinder/less threatening environment for stressed and traumatised people. Well organised community support team required to help people become independent quickly. It is important that people are settled in a centre with appropriate services and help for new arrivals, such as Coffs Harbour, and Albury Wodonga, and preferable if there are others from a similar background.

NSW STARTTS	<ul style="list-style-type: none"> It is unclear who would pay the costs and provide settlement support for humanitarian entrants who do not have links in Australia. Regional settlement can be appropriate if there are appropriate support services (English training, language support, cultural and religious activities, employment opportunities).
Settlement Services International	<ul style="list-style-type: none"> A lot of support is required for settlement of entrants with no family links.
Settlement Council of Australia	<ul style="list-style-type: none"> The Humanitarian Programme considers regional allocation levels and the balance of refugee arrivals from overseas, allocating unlinked families to often regional areas. If the CSP were to feed into this it would support planned refugee community development.
GMH Legal	<ul style="list-style-type: none"> GMH do not support settlement of entrants with no links in regional areas due to concerns around support services, personal links, employment prospects, exploitation, social exclusion, and community tension due to small pool of jobs.
Sabian Mandaean Association	<ul style="list-style-type: none"> Advantages - entrants contribute to areas with smaller populations and workforces Disadvantages - a lack of appropriate services and possible difficulties integrating.
Law Institute of Victoria	<ul style="list-style-type: none"> Entrants should only be resettled in non-metropolitan locations if the levels of community services and social/economic disadvantage are unlikely to jeopardise settlement outcomes and there is strong community support.

Should a Community Support Programme include an Assurance of Support (AOS) requirement?

Org	Key comments
Adelaide MRC	<ul style="list-style-type: none"> Will discourage some applicants, deter clients who don't have the means but are able to settle clients Could create a debtor-creditor relationship.
s. 47G(1)(a)	<ul style="list-style-type: none"> Support 10 year AOS, with bank guarantee.
Sanctuary Australia Foundation	<ul style="list-style-type: none"> AOS is not necessary. Voluntary time and work already provided at no cost, raising this money will not be easy for the community, will make it impossible for the most needy people to propose their family as they struggle with money.

Brotherhood of St Laurence	<ul style="list-style-type: none"> • An AoS can lead to pressure on family/community relationships, family breakdown and estrangement, homelessness, and exploitation of new arrivals. • It would undermine the humanitarian intent of a CSP by ignoring the additional challenges and barriers that refugees face in entering the workforce. The critical period of settlement and adjustment to a new country must be supported with access to social security, without the prospect of these payments becoming a debt for their proposer.
Refugee Council of Australia	<ul style="list-style-type: none"> • The VAC associated with the CSP should be substantially reduced and replaced with an AoS requirement lasting 12 months. • The AoS requirement should be designed to cover the costs of providing settlement support during the first 12 months of arrival in Australia, not the costs associated with income support.
NSW STARTTS	<ul style="list-style-type: none"> • An AoS may lead to a greater risk of relationship breakdowns, and pressure on the entrant/s to take any kind of job to avoid the costs associated with an AoS, rather than looking for a more appropriate long-term job. • <i>'...humanitarian entrants do not need the kind of "encouragement" suggested by the introduction of an AOS to enter the Australian workforce...'</i> • Due to rental prices, entrants may live with the proposer for a protracted period, reducing the potential for independence/self-sufficiency, may result in proposer/entrant relationship breakdown.
Settlement Services International	<ul style="list-style-type: none"> • The proposed AoS places an additional financial burden on the client's proposer and, in the event that they do access government and welfare services, this AoS can place additional financial stress on the proposer. • The payment of a bond by the proposer for settlement obligations should be retained, but that an AoS provision for essential government and welfare services is not adopted in the CSP.
Illawarra Multicultural Services	<ul style="list-style-type: none"> • Proposers actively encourage applications to gain an independent and regular income, in order to move away from income support through Centrelink. • Not all applications have a primary applicant who could successfully achieve an independent and regular income stream. • A regular income is only one element of successful settlement. IMS questions the value of an AoS being incorporated into the operations of a CSP, notwithstanding that it will be an additional 'less controllable' cost to the Proposer. • A CSP must recognise that NOT all primary applicants will have the capacity/ability to secure ongoing employment.
Melaleuca Refugee Centre NT	<ul style="list-style-type: none"> • Does not support an AoS. Humanitarian entrants wish to make the most of opportunities for education and employment. While there are short-term costs to government, the difference is made up through participation in the social and economic community over time. • Entrants should be given time to settle, learn about Australia, and become job ready through English language courses. • AOS stresses relationships between proposer and entrants, inhibiting effective settlement. • The APO fees should be capped. • The use of a VAC should be transparent, and surplus VAC should be refunded. • People have taken out loans in order to access the programme.

NSW STARTTS	<ul style="list-style-type: none"> Does not support AoS — increases risk of tension between proposer and entrant.
Sabian Mandaean Association	<ul style="list-style-type: none"> Does not support an AOS — AoS does not consider hardships that entrants may suffer on arrival, and could lead to situations where entrants become homeless or lead to mental health issues. Not all in humanitarian need will have the capacity to afford an AoS.
AMES	<ul style="list-style-type: none"> The future Community Support Programme model should consider building in effective ways to get entrants into employment as soon as possible to both further their own settlement and to limit the need to access welfare payments. There may be useful insights from models used in other countries to consider in this light. Does not support an AoS, but the VAC could be increased to around \$25,000 to further offset costs related to healthcare and income support. The VAC is less costly to administer and provides a known income stream. AMES recommends continuation of an APO bond scheme, as is currently used in the CPP.
Law Institute of Victoria	<ul style="list-style-type: none"> An AoS should not be required, particularly if the VAC is to remain at the same price.
GMH Legal	<ul style="list-style-type: none"> Attaching an AoS to a humanitarian visa, could be seen as a breach of international obligations under the ICESCR by diminishing the social protection Australia currently affords to Humanitarian visa newcomers. An AoS is at odds with the basic objectives of the Humanitarian Program. An AOS leads to inequality through finances and does not consider settlement barriers faced by humanitarian entrants. Community members are generally content to pay the considerable Visa Application Charges, as well as the Approved Proposing Organisation fees that are considered a de-facto Visa Application Charge, on the premise that their family members living abroad, displaced from their country of origin and often living in horrific conditions, and have their visa applications granted under priority processing.
Settlement council of Australia	<ul style="list-style-type: none"> Do not support an AOS, as it may compromise settlement, lead to a vulnerable underclass, put additional pressure on the relationship between the proposer and entrant, may have long term negative impacts, financial hardship already a factor in in refugee communities – additional pressure will exacerbate.

Approaches to assist securing employment

Org	Key comments
Adelaide MRC	<ul style="list-style-type: none"> Employment services with cultural awareness and the ability to job match with pre-gained skills will lead to better employment outcomes.
Sanctuary Australia Foundation	<ul style="list-style-type: none"> Finding employment is best done through personal community links. Employment agencies unsuccessful in understanding needs, and finding employment for refugees.

Brotherhood of St Laurence	<ul style="list-style-type: none"> Families have significant social capital which can facilitate employment opportunities for new arrivals. Given the expected role of families in a Community Support Programme, it is important for families to be informed about employment services and to utilise their networks to facilitate entry to the job market.
NSW STARTTS	<ul style="list-style-type: none"> Employment can be assisted through AMEP, other English programmes, labour market programmes i.e. Jobactive. Labour market services need to be sufficiently aware of and sensitive to the needs of refugees, particularly torture and trauma survivors.
Settlement Services International	<ul style="list-style-type: none"> People proposed under the CSP, are likely to need tailored assistance to successfully transition into the labour market which may include skills and qualifications recognition, bridging training and English language learning, opportunities to gain Australian work experience and access to employment support.
Illawarra Multicultural Services	<ul style="list-style-type: none"> Ideally, proposers under a CSP should include an 'employment strategy' as part of the Application. The strategy would include plans for orientation, training/education and skills development, leading to an assurance of employment, prior to the lodgement of an application. Not all Proposers have the capacity and/or the expertise to explore and develop such initiatives. Therefore, as a practice/procedure under a CSP, the Proposer/SCO could work with Jobactive, as part of completing their application.
GMH Legal	<ul style="list-style-type: none"> Finding employment is hindered by; limited English proficiency, recognition of skills, qualifications and experience, lack of employment services supporting transition.

What is the role of communities in contributing to the Community Support Programme?

Org	Key comments
Adelaide MRC	<ul style="list-style-type: none"> VAC can create a huge financial stress on client and proposer, leading to negative impact on settlement. VAC should be based on partner stream entrants – better affordability and doesn't compromise the values of the Australian government. Disadvantages of VAC and AOS – those in need of resettlement yet have no resources for the VAC do not have the opportunity for resettlement in Australia. Advantages of VAC and AOS – fast track priority, no financial burden on Australian government.
s. 47G(1)(a)	<ul style="list-style-type: none"> VAC should cover cost of visa - similar to skilled migrant, where the entrant has to support their own family for 2-3 yrs (resulting in minimal financial burden to the Australian Government). Families should be responsible for providing support services for the length of the programme (not just one year).

Settlement council of Australia	<ul style="list-style-type: none"> • Longer term benefits are likely with greater involvement of proposers, family members and community members in providing initial settlement support (however they must have a solid understanding of programmes and policies and not rely on their own past experiences). • Concern around having a fee structure for refugee visas, assessing resettlement capacity and employability factors as eligibility criteria, or having any criteria which is not connected to humanitarian concerns of refugee protection. • Community organisations require strong internal governance structures to ensure they can adequately fulfil responsibilities involved in supporting families entering through the CSP. • Cost factors may limit the ability for mainstream volunteer communities to be involved. • Bulk of fees/charges should be incurred upon grant of a visa. • Provide VAC concessions for larger families.
Sanctuary Australia Foundation	<ul style="list-style-type: none"> • There does not need to be a VAC for Humanitarian entrants. The services provided under the HSS Program are not needed when a community support team is well trained and experienced, and can provide all aspects of settlement assistance and ongoing help. • If a VAC is required it should only be a minimal amount, as the community can cover most of the needs. The airfares should always be on a no-interest loan scheme, to be gradually repaid, thus ensuring that there are ongoing funds to help others. • A VAC would make it more difficult, as people already selflessly give so much time, energy, knowledge and care to assist new arrivals, and much of it outside regular office hours.
NSW STARTTS	<ul style="list-style-type: none"> • The high level of the VAC, and other upfront/ongoing costs of sponsoring family members, renders the programme to be unattainable for many communities and community members. • If the VAC is applied, the visa places offered under the Community Support Programme should be outside the Humanitarian Programme allocation. • Using a VAC in conjunction with an AOS will only make the programme more unattainable.
Settlement Services International	<ul style="list-style-type: none"> • The VAC should be as low as possible to allow all people in Australia with family and community connections in humanitarian situations overseas to have fair and equitable access to propose suitable applicants to APOs for consideration by the Department. • Using a VAC in conjunction with the AoS compounds the significant financial burden on proposers.
Illawarra Multicultural Services	<ul style="list-style-type: none"> • Resettlement through a Community Support Programme, with a VAC would present a cost-effective means of caring for family members. • In order to achieve a cost neutral programme, the VAC should be representative of: <ul style="list-style-type: none"> ○ the cost of social support based on the Applicant family composition (full or partial cost recovery) ○ overseas Processing costs (full or partial cost recovery) ○ the Department's administrative costs for the Programme (full or partial cost recovery).

	<ul style="list-style-type: none"> As part of a commitment to service assurance, a CSP would also establish timeframe benchmarks at each of the overseas posts: <ul style="list-style-type: none"> application received at overseas post; approximate date of interview; approximate date for completion of verifications – circumstances, security, medical, other; approximate date for an Application outcome – acceptance/refusal; approximate date for Visa issuance & exit permits; and approximate departure date.
NSW STARTTS	<ul style="list-style-type: none"> Proposers should be trained in delivering settlement support before entrants arrive — perhaps by APOs.
Sabian Mandaean Association	<ul style="list-style-type: none"> VAC should be around \$15,000 to \$25,000 as that is a much more affordable range. To have a VAC in conjunction with an AoS is to deeply disadvantage majority of people seeking a humanitarian visa as it becomes too costly for them to afford. There are families that are paying more than the VAC to keep their family members overseas alive and so would be willing to pay the VAC and AoS if it means getting their family members to safety. It would also act to filter applications.
Law Institute of Victoria	<ul style="list-style-type: none"> VAC fees should be reduced if the program numbers are to be treated as part of the Australian Refugee & Humanitarian Program. VAC fees should not increase if program numbers are counted separately. The VAC should properly be seen as a community contribution to assist in expanding the availability of humanitarian visas and covering some costs involved in the administration of a CSP. The VAC amount should not be directly linked to the cost of the HSS program or to Centrelink income amounts, as this creates an uncomfortable accounting exercise and devalues the other contributions made by refugees and humanitarian entrants.
GMH Legal	<ul style="list-style-type: none"> The current VAC and APO charges seem to be set at a level that is relatively attractive for sponsoring family members. If the same VAC is applied in a community support programme, it can be argued that the contribution being made to the consolidated revenue generated should be appropriately acknowledged by decreasing the processing time of the application. <ul style="list-style-type: none"> However priority processing may break the principle that applications should be processed mainly according to merit and need. VAC and AoS may force entrants into the workplace early, working well below their skill set and ability. It would be more beneficial for the Humanitarian visa newcomers if they were granted social security payments to allow them to concentrate on improving their English language ability and transitioning to Australian society. It must be recognized that private sponsorship does not rely on public resources, but funds of family members, ethnic groups and other community associations.

What settlement support should be available for humanitarian entrants under a community support programme?

Org	Key comments
Adelaide MRC	<ul style="list-style-type: none"> Proposers should provide day to day orientation, long term accommodation, collaboration with APO on settlement support. Community/family – less costly to government, clients feel more confident working with people with the same cultural values/understandings, proposers have experience settling in Australia.
Sanctuary Australia Foundation	<ul style="list-style-type: none"> A CSP must be required to commit to providing care and support, airfare loans, and complete settlement assistance. This would include helping with potential employment, once the people are settled. Proposers for relatives should be expected to commit to assisting them as much as possible with all settlement procedures. The challenges are usually finding affordable and appropriate housing and work.
Brotherhood of St Laurence	<ul style="list-style-type: none"> Entrants should not be eligible for HSS, but should be eligible for Settlement Services and CCS (as a safety net).
Refugee Council of Australia	<ul style="list-style-type: none"> Entrants should be granted access to HSS in cases of emergency or relationship breakdown, which would be taken out of the AoS - if required. Entrants should be eligible for torture and trauma rehabilitation services and CCS on a needs basis.
NSW STARTTS	<ul style="list-style-type: none"> Under the CPP, the settlement responsibilities of proposers and the time period they are expected to provide support (12 months) are reasonable. Entrants should have access to torture and trauma services. There should be a safety net to support people who face greater difficulties. Entrants should be able to access <i>Jobactive</i> and other labour market services as well as the full allocation of AMEP hours. Training and/or information sessions should be available for proposers before the entrants they have sponsored arrive. Benefits of community/family members providing support include: <ul style="list-style-type: none"> they generally speak the language the same language as entrants, and understand cultural issues family members in particular often have a close connection and relationship with the people they are supporting. Challenges associated with SCOs providing support: <ul style="list-style-type: none"> They can spread the load of the tasks required to support entrants among different members, however this can also lead to fragmentation, inconsistent information and support, and a lack of accountability. They may not be aware of current services available. They may also not have arrived in Australia as humanitarian entrants themselves, so may not understand the particular issues for humanitarian entrants. Sponsoring organisations may not include members from the same cultural or religious background, so may face communication difficulties and cultural misunderstandings.

Settlement Services International	<ul style="list-style-type: none"> • Proposers should provide all aspects of on-arrival support and refer entrants to appropriate services. • APOs or HSS providers should intervene if proposers are unable to adequately meet their settlement obligations. • Benefits of community members/organisations providing settlement support under the CSP, is their potential capacity for entrants to get support from their own cultural and linguistic community networks. • The potential disadvantages are that communities and individual proposers may struggle when critical settlement issues arise and may themselves be unaware of service pathways and referral networks to address these issues.
Illawarra Multicultural Services	<ul style="list-style-type: none"> • The benefits far outweigh any challenges associated with having community members and/or organisations provide settlement support under a CSP.
s. 33(b)	<ul style="list-style-type: none"> • Sponsors should have the option of paying for HSS, where they are unable to provide adequate settlement support. • A Government-funded 'safety net' should be available.
Melaleuca Refugee Centre NT	<ul style="list-style-type: none"> • CSP entrants should have access to the full range of Humanitarian settlement services including counselling, case management and orientation. • CSP entrants should be referred to <i>Jobactive</i> providers. • Provision of full allocation of AMEP hours at no cost is essential. • CSP entrants should be informed of their obligations and the services they can access prior to arrival in Australia.
NSW STARTTS	<ul style="list-style-type: none"> • Should have access to torture and trauma services. • There should be a 'safety net' in case of relationship breakdown or unexpected difficulty. • Should be referred to <i>jobactive</i> for professional employment services and should receive full AMEP.
Sabian Mandaean Association	<ul style="list-style-type: none"> • Current suite of settlement services in the CPP is appropriate. • Income support and mental health services should be provided.
GMH Legal	<ul style="list-style-type: none"> • Proposers will ideally need to ensure that they have a network of contacts, employment options, language courses, resettlement services, cultural orientation, adequate housing and access to social services. • The support of an existing and established community with resources would ensure that they are able to immediately respond to the newcomers needs for housing, schooling and general welfare services to cushion the often difficult resettlement process. • Proposers should ensure that entrants are provided with everything they need to become self-sufficient, and provide a secure and supportive social network with groups that share common interests and a common background. • Vulnerable applicants should be able to engage STTARS and other similar organisations which provide a range of therapeutic programs to address the needs of people with a history of psychological and physiological trauma.
Settlement council of Australia	<ul style="list-style-type: none"> • Maintain all elements of HSS.

Assistance achieving self-sufficiency

Org	Key comments
Sanctuary Australia Foundation	<ul style="list-style-type: none"> By assisting entrants in a careful and respectful manner to ensure that things are not done 'for' them, but 'with' them. Also by introducing entrants to community members who can assist with work experience and educational help is important.
Settlement Services International	<ul style="list-style-type: none"> The proposer should regularly meet with the APO and client, perhaps in the first 6 months after arrival, to allow the APO to monitor progress towards key competencies and orientation requirements. These competencies and requirements could be adapted from those required under HSS. Settlement competencies and orientation should be delivered in a staged but comprehensive way after arrival as currently occurs in HSS.
Illawarra Multicultural Services	<ul style="list-style-type: none"> Self-sufficiency could be encouraged through a standard initial orientation program, delivered over a short time period by the APO. This would be a program developed by the APO consortium. The sessions would be attended by both the Proposer/SCO and the Applicant(s). Interpreters would be engaged to ensure clear understanding.
Sabian Mandaean Association	<ul style="list-style-type: none"> Entrants are best supported into employment by accessing English language tuition and by teaching them employment skills, as well as support to settle in Australia and overcome traumatic experiences.

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Development of a Community Support Programme model

Community Consultations

Summary of outcomes

On 3 June 2015, Minister Dutton agreed for the Department of Immigration and Border Protection (the Department) to undertake public consultations on the potential implementation of a Community Support Programme (CSP) under Australia's Humanitarian Programme. The following consultations occurred as a result:

Community Support Programme Discussion Paper

On 15 June 2015, the Department published a discussion paper seeking comment on a number of important factors and issues associated with the possible design and features of a CSP.

Feedback submissions were received from 18 community organisations which included Approved Proposing Organisations (APOs), national peak bodies, and small ethnic and religious groups.

APO Community Support Programme working group

APOs are well-established community organisations in Australia that have been approved by the Department to propose people in humanitarian situations offshore for entry to Australia under the Community Proposal Pilot (CPP). Since the CPP's implementation in 2013, the Department has been working with five APOs; AMES Australia (Victoria), The Brotherhood of St Laurence (Victoria), Liverpool Migrant Resource Centre (New South Wales), Illawarra Multicultural Services (New South Wales).

On 28 August 2015, the Department met with the APOs for further discussion on the possible CSP designs and features raised in their submissions to the public discussion paper.

Teleconferences with the Refugee Council of Australia (RCOA) and Settlement Council of Australia (SCOA)

The department consulted with national peak bodies - the Refugee Council of Australia (RCOA) on 27 August 2015, and the Settlement Council of Australia (SCOA) 25 August 2015.

These consultations involved further discussion on the possible CSP designs and features raised in their discussion paper submissions.

Overview of feedback from consultations

There was support for:

- The introduction of a CSP which provides a mechanism for families and communities to be involved in humanitarian resettlement — though most advocated for the programme to be additional to, and de-linked from the existing Humanitarian Programme.

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Attachment B

- Greater involvement of Supporting Community Organisations (SCOs), noting that administrative burdens preventing greater SCO involvement such as privacy, finance, and the Deed of Agreement would need to be addressed.
- Access to Complex Case Support available as a safety net for entrants under the programme.
- Unfettered access to income support for entrants under the programme.
- Retention of the standard humanitarian eligibility criteria for grant of a visa under the programme and for the programme to continue to target vulnerable people in humanitarian situations overseas.
- Regional settlement of unlinked entrants, providing regional capacity is measured and a safety net is available.
- Expansion of the APO network into every state.

There was opposition to:

- The introduction of a CSP if it was used as a way for the Government to shift costs associated with humanitarian resettlement, or if it diluted the spirit of the Humanitarian Programme by targeting 'skilled' humanitarian entrants or prioritised people simply on the basis of being able to pay the fees associated with the programme.
- The introduction of an Assurance of Support (AoS) requirement, and most felt the VAC should be lowered.
- The inclusion of additional eligibility requirements such as age, English proficiency, and stricter health requirements due to concerns that this would dilute the humanitarian nature of the programme and be ineffective.

Suggested model features:

- The department assesses applicant humanitarian claims prior to APOs assessing proposer settlement capacity. This suggestion was aimed at reducing community pressure felt by APOs when proposing applicants to the department under the CPP.
- The APO role facilitates partnerships with SCOs and provides CSP oversight.
- APOs share consistent administrative fees, guidelines, and applicant eligibility criteria.