

# COMPASSION FOR REFUGEES

## Creating safe pathways for people who need our help

Refugees and migrants have long contributed to Australian culture and society, and yet both Labor and the Liberals want to continue policies that abuse and vilify them. For years, the major parties have demonised them with terms like 'illegals', despite seeking asylum not being a crime. The Greens will close the offshore detention camps on Manus Island and Nauru, work towards a genuine regional solution which creates safe pathways for people seeking asylum, increase our humanitarian intake and end Temporary Protection Visas to meet our human rights obligations and provide a safe-haven for those who need it.



### THE GREENS HAVE A PLAN TO:

- **End offshore detention** on Manus Island and Nauru
- **Increase Australia's humanitarian intake** to 50,000 per year
- **Establish a regional solution for people seeking asylum**, including assessing people's claims for protection in partner countries in a timely manner
- Introduce a **7 day limit for onshore detention** and **provide fair support for people seeking asylum** to live with dignity in the community
- **Abolish Temporary Protection Visas** and **reintroduce Permanent Protection Visas** for refugees
- **Establish a Private Sponsorship of Refugees Program**, in addition to our humanitarian intake
- **Establish a Royal Commission** into Australia's immigration detention regime

## END OFFSHORE DETENTION ON MANUS ISLAND AND NAURU

Australia's offshore detention and transit centres on Manus Island and Nauru are places of misery, death and torture that destroy innocent people<sup>1</sup> and are a stain on Australia's national conscience. People have died, been assaulted and endured psychological torment<sup>2</sup>, because Labor and the Liberals have refused to act with basic humanity by locking people up in indefinite detention.

Australian governments have locked up refugees, stateless persons, and people seeking asylum on Manus Island and Nauru for an average of 826 days.<sup>3</sup> Many have been there for more than five years.<sup>4</sup>

By ending offshore detention, and bringing every person detained on Manus Island and Nauru to safety and freedom in Australia, we will create a fairer and safer system that helps more people and meets our obligations under international law.



## INCREASE AUSTRALIA'S HUMANITARIAN INTAKE TO 50,000 PEOPLE PER YEAR

As one of the world's wealthiest countries, Australia has an obligation to do more for refugees and people seeking asylum (people seeking to be recognised as refugees).

In 2017, according to the United Nations High Commissioner for Refugees (UNHCR), Australia assisted just 0.65% of the 3.5 million refugees who had their status recognised or were successfully resettled.<sup>5</sup> This was a drop from the year before, to 45th in the world, based on gross GDP.

The Greens have a plan to offer more people a safe-haven by increasing our annual humanitarian refugee intake from 18,750 to 50,000 places per year. Even adding this significant increase only amounts to less than 0.14% of the Australian population.

<sup>1</sup> Méndez J. 2015, [Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#), United Nations, Geneva, viewed 05 July 2018

<sup>2</sup> Asylum Seeker Resource Centre n.d., [2017: Year In Review](#), Asylum Seeker Resource Centre, Melbourne, viewed 19 July 2018

<sup>3</sup> Australian Border Force 2018, [Question on notice no. 9: Portfolio question number: AE18/095](#), Australian Government, Canberra, viewed July 2018

<sup>4</sup> Butler, J. 2018, [Five Years In Detention For Manus, Nauru Refugees](#), Network Ten, Sydney, viewed 25 July 2018.

<sup>5</sup> United Nations High Commissioner for Refugees 2017, [Global Trends: Forced displacement in 2017](#), United Nations, Geneva, viewed 05 July 2018.



## ESTABLISH A REGIONAL SOLUTION FOR PEOPLE SEEKING ASYLUM, INCLUDING ASSESSING PEOPLE'S CLAIMS FOR PROTECTION IN PARTNER COUNTRIES IN A TIMELY WAY

The displacement of people because of war, persecution and climate change is a global problem that requires global answers.

We need to show regional leadership to create safe pathways for people seeking asylum in Australia.

This is why the Greens' plan also provides \$500 million over four years to support organisations like the UNHCR and partner countries in our region to establish a system that can assess peoples' claims for protection in Indonesia and Malaysia in a timely fashion, and provide a 'dignity package' while they are waiting, which would allow people to access healthcare, education, English classes and work permits.

By creating safe pathways, we remove any need for people to embark on dangerous boat journeys.

The Greens would also end the dangerous and illegal practice of boat turnbacks in international waters.

However, we would continue Australia's cooperative efforts within the region to detect, deter, and disrupt people smuggling operations from taking to the water in the first instance, and risking the lives of vulnerable people seeking asylum.

This is a model broadly supported by experts<sup>6</sup> and advocates.<sup>7</sup>

6 Kaldor Centre for International Refugee Law 2016, [Where to from here? Report from the Expert Roundtable on regional cooperation and refugee protection in the Asia-Pacific](#), UNSW, Sydney, viewed 11 July 2018.

7 Amnesty International 2018, [A Better Plan](#), Amnesty International Australia, Sydney, viewed 11 July 2018.

## 7 DAY LIMIT FOR ONSHORE DETENTION AND SUPPORT TO LIVE WITH DIGNITY IN THE COMMUNITY

According to a Commonwealth Ombudsman's report,<sup>8</sup> prolonged detention has a significant, negative impact on the mental health of a person being detained that can lead to self-harm and suicide.

The Greens' plan includes a 7 day time limit for people held in onshore immigration detention. This is enough time to conduct the necessary checks and assess a claim for asylum, without subjecting people seeking asylum to undue risk. Extensions to 7 day detentions where necessary for valid public order, public health, or national security concerns may be sought from the courts on a case-by-case basis.

The Greens also want a robust independent inspectorate for all of Australia's detention centres, to ensure we fully meet our obligations under the recently ratified Optional Protocol to the Convention against Torture.<sup>9</sup> This will include all offshore detention facilities until they are fully closed, and all refugees and people seeking asylum who were detained there who have been brought to Australia or resettled in an appropriate third country.

Refugees and people seeking asylum living in Australian communities should receive fair levels of support from the government. This would include income support, housing, access to Medicare, trauma and torture counselling, English language courses and employment assistance.

8 Commonwealth Ombudsman 2013, [Suicide and Self-harm in the Immigration Detention Network](#), Commonwealth Ombudsman, Canberra, viewed 05 July 2018.

9 Office of the United Nations High Commissioner for Human Rights n.d., [Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment](#), United Nations, Geneva, viewed 11 July 2018.

## ABOLISH TEMPORARY PROTECTION VISAS AND REINTRODUCE PERMANENT PROTECTION

Too many people who have been found to have genuine claims for protection live in fear of being deported from Australia due to Temporary Protection Visas.<sup>10</sup>

The Greens have a plan to abolish Temporary Protection Visas and provide permanent protection for people, so they can rebuild their lives in Australia for the long-term.



## END FAST TRACK PROCESSING, AND REVIEW ALL FAST TRACK DECISIONS

In 2014, the Migration Act was amended to create a 'fast track' assessment process for decisions to refuse protection visas for particular cohorts of people seeking asylum. Fast track cases are reviewed by the Immigration Assessment Authority (IAA), established specifically for fast track applications, and not by the Administrative Appeals Tribunal (AAT), which reviews all other refugee applications.

The fast track assessment process removes important procedural rights for people seeking asylum, which significantly increases the risk of genuine refugees being wrongly found, in a non-reviewable decision, not to be refugees.

The Australian Greens' plan will end the 'Fast Track' assessment process for determining refugee claims. Our plan also includes a review of all fast track decisions to be conducted with procedural fairness, and in accordance with the rules of natural justice.

<sup>10</sup> Asylum Seeker Resource Centre n.d., [Temporary Protection Visas](#). ASRC, Melbourne, viewed 06 July 2018.

## RESTORE SRSS PAYMENTS

In 2018 the Government began cutting Status Resolution Support Service (SRSS) payments for people who are living in the community on temporary visas, or who are in community detention while their application for refugee status is assessed.<sup>11</sup> The SRSS program also provided casework support for housing, as well as trauma and torture counselling.

Cutting this program has shifted the costs from the government to already struggling charity, community, and health sectors.

The Greens' plan will restore the SRSS at the same rate as Newstart, to ensure all recent arrivals can fully participate and integrate with Australian communities.

## REINSTATE HUMANITARIAN SETTLEMENT SERVICES PROGRAM

On 30 October 2017, the Australian Government replaced the Humanitarian Settlement Services (HSS) and Complex Case Support (CCS) program with the Humanitarian Settlement Program (HSP).

The HSP has far less funding, resources, and on-the-ground deliverables than the previous two programs. What resources the HSP does have are tied to increased compliance and reporting, which means staff spend more time on administration, and less time with clients.

The network of service delivery has also been drastically cut, with only five (5) contractors delivering HSP services, whereas HSS had 49 contractors.

Alarming, NGOs in the sector have told us the shift from HSS to HSP is setting up both service providers and clients to fail.

The Greens' plan will reinstate the Humanitarian Settlement Services and Complex Case Support programs and funding, which will provide a broader and more holistic level of client support, with less administrative burden for service providers. This will better serve clients, and broader Australian communities.

<sup>11</sup> Doherty, B. 2018, [Cuts leave asylum seekers in Australia at risk of destitution, say advocates](#). Guardian Australia, Sydney, viewed 12 October 2018.

## CREATE A PRIVATE SPONSORSHIP OF REFUGEES PROGRAM

The Greens' plan will also create a Private Sponsorship of Refugees Program.

This program will allow Australian citizens, permanent residents, consortiums and organisations to sponsor the resettlement of refugees from abroad.

The program will result in minimal costs to government, as the private sponsors will provide financial support and settlement assistance for the refugees they sponsor. Settlement, and settlement costs and assistance, will be provided for by participating sponsors for one year after arrival, or until the refugee becomes self-sufficient.

Private sponsors will be able to target specific refugee cohorts they are interested in supporting. With sponsorship of individuals from vulnerable groups such as LGBTIQ or people with special needs, the government will provide additional funding to reduce the commitment required from private sponsors.

The Private Sponsorship of Refugees Program will create up to 10,000 additional humanitarian places per annum, in addition to government programs and refugee quotas.

This program is based on one in Canada, which has resettled 300,000 refugees since 1979.<sup>12</sup> Canada has reported better employment and social outcomes achieved by privately sponsored refugees over government-assisted refugees, with privately sponsored refugees, according to government statistics, earning more than Canada's average income after 20 years.<sup>13</sup>



<sup>12</sup> Casey, R. 2017, [Private sponsorship of refugees grows, along with resettlement needs](#), Reuters, London, viewed 17 August 2018.

<sup>13</sup> *ibid.*

## A ROYAL COMMISSION INTO AUSTRALIA'S IMMIGRATION DETENTION FACILITIES

The Greens have called repeatedly for a Royal Commission into Australia's immigration detention facilities. Royal Commissions have significant powers and gravitas, and have brought about significant changes in other areas they have held inquiries into.

In 2016 the Greens introduced a motion to the Senate calling for a Royal Commission that would "shine the disinfectant of sunlight onto our immigration detention regime". This motion didn't pass, as both the Liberal and Labor parties voted against it.

The Greens' calls for a Royal Commission into Australia's immigration detention facilities have been echoed by numerous refugee and human rights organisations, including the National Justice Project<sup>14</sup> and Kaldor Centre for International Refugee Law.<sup>15</sup>

### CASE STUDY

Abdul, a 15 year-old boy from Afghanistan, arrived in Australia without a visa months ago and has been locked up in a detention centre since then. When he is found to be a refugee, he will be released on Temporary Protection Visa (TPV). However, under the conditions of TPVs, Abdul will be given no certainty about his future, and no possibility for a family reunion. He is at risk of significant psychological damage.

**Under the Greens' plan for refugees and people seeking asylum, Abdul would be able to quickly get on with his life** confident that he had found safe asylum in Australia, while looking forward to the possibility of safely reuniting with his family.

<sup>14</sup> National Justice Project n.d., [The National Justice Project Calls for a Royal Commission after another refugee death](#), National Justice Project, Sydney, viewed 7 September 2018.

<sup>15</sup> Hoang, K. & Gleeson, M. 2016, [Nauru abuse reports warrant urgent action to protect children in offshore detention](#), The Conversation, Melbourne, viewed 7 September 2018