

LET'S BUILD A FAIRER AUSTRALIA!



St Vincent de Paul Society
NATIONAL COUNCIL of AUSTRALIA Inc. *good works*

WHO WE ARE

St Vincent de Paul Society is a lay Catholic charity with over 45,000 members and volunteers and 3,000 employees operating in Australia. Founded in poverty and plague-stricken Paris in the 19th century, we have had a presence in Australia for 170 years. Our people are locals who help all people in need in their communities. We are a registered charity, overseen by the Australian Charities and Not-for-profits Commission (ACNC).

Our work is informed by the teachings of our founder, Frédéric Ozanam. Our Mission and Values draw on Catholic Social Teaching principles and we follow the Society's Rule which sets our international charter.

We strive for a fairer Australia for all, one based on justice and compassion.

WHAT WE DO

Through generous donations, sales through our national retail network ('Vinnies shops'), and some government funding, the Society distributes over \$50 million each year in emergency relief. This is done by our dedicated members and through our conferences and centres located in communities. Additionally, we provide short term, emergency and longer-term community housing options, meals, clothing, and support services. We also assist individuals and communities impacted by natural disasters.

While providing material support to people, we listen to and connect people with other networks and services, depending on their needs. Our aim is to empower people to help them achieve their full potential in life.

We aspire to live the gospel message by serving Christ in the poor with love, respect, justice, hope and joy, and by working to shape a more just and compassionate society.

The Society's National Council approves our policy positions. Our advocacy is informed by the experiences of those we assist and by our members,

through the National Council's Social Justice Advisory Committee and the Vincentian Refugee Network.

We advocate for policies and funding that improve people's lives. We do so in a way that aligns with our charitable purpose and our actions are politically non-partisan.

A VOICE FOR THE VOICELESS

We believe in human dignity, the common good and in our responsibility for each other. We advocate for improvements in social conditions that will enable everyone to realise their full potential.

Our belief in solidarity helps us to see the 'other' as our neighbour, a helper, a sharer on a par with ourselves. In accordance with the words of our founder, Blessed Frédéric Ozanam, we are mindful of 'seeing Christ in the poor'.

We believe in subsidiarity, or respect for personal dignity, and the importance of those most affected by a decision or policy having input to it. Subsidiarity is the principle of ensuring that the local environment and circumstances guide all initiatives taken (refer to Article 3.9 of *The Rule*).

We respect Australia's international human rights commitments, including the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention Relating to the Status of Refugees and the United Nations' Declaration on the Rights of Indigenous Peoples.

Our policy positions are qualified by the experiences of those we assist and our members, and by Australia's extensive evidence-base in social policy and various research projects commissioned by the Society.

LET'S BUILD A FAIRER AUSTRALIA!



LET'S BUILD A FAIRER AUSTRALIA! PEOPLE SEEKING ASYLUM IN AUSTRALIA

DECEMBER 2024



OUR WORK WITH OTHERS

The Society engages with other church-based charities and not-for-profit organisations in our advocacy work and in the delivery of assistance to people in need, and our policy positions generally align with them. These organisations include ACOSS, Catholic Social Services Australia, Ending Child Poverty, Homelessness Australia, Jesuit Refugee Services, Jesuit Social Services, National Shelter Australia, Refugee Council of Australia, the Alliance for Gambling Reform, the Catholic Alliance for People Seeking Asylum and the Community Housing Industry Association.

WHY IT'S IMPORTANT

Since the COVID-19 pandemic, Australia has endured a cost-of-living crisis, a housing crisis, high inflation and high interest rates. While wages have improved, they have grown less than in most OECD countries. Our experience shows that those hardest hit are households that rely on income support as their main source of income. Australia-wide, one-in-six children are living in poverty, and great disadvantage persists in several mainly regional and remote communities.

Now, more than ever, government policy and fiscal management need to be robust, evidence based and directed to areas of greatest need.

In 2022, we developed a Federal Election Statement, *A Fairer Australia* covering five social justice priorities and have maintained and updated all of our federal policy papers. These policy papers now cover seven social justice areas namely First Nations peoples, Income Support, Poverty and Debt, Housing and Homelessness, People Seeking

Asylum, Secure Work, Taxation and Welfare and Gambling Reform.

More information is also available on our website, as well as a [Report Card](#) that tracks the Australian Government's progress against our social justice priorities.

However, for the 2025 Federal Election, the Society has focussed on four social justice priority areas in its statement, *Justice and Compassion*: (1) Supporting a Safety Net for all Australia, (2) Housing Security Across the Country, (3) Meeting the Needs of First Nations peoples, and (4) Rising to the Refugee Challenge.

Our service to others, and advocacy on their behalf, is inspired by the words of St Vincent de Paul:

Deal with the most urgent needs... Teach reading and writing, educate with the aim of giving each the means of self-support. Intervene with authorities to reform structures... there is no charity without justice.

St Vincent de Paul Society National Council of Australia acknowledges the traditional custodians of country throughout Australia; recognises their continuing connection to land, waters and culture and community; and pays its respect to elders past, present and emerging.

St Vincent de Paul Society National Council of Australia Inc. PO Box 243, Deakin West ACT 2600 vinnies.org.au

Summary

Since the start of his pontificate, Pope Francis has expressed particular concern for people fleeing war and persecution. He continues to repeatedly call on the global community to welcome and protect them.

In the last decade, Australia has failed in its legal and moral duty to welcome or protect people who have sought asylum in our country, arriving here by boat, despite their being entitled to seek protection under international law.

About 30,000 people who arrived in Australia by boat in 2012-13 have been subject to special, unfair treatment in their refugee (fast track) assessment process. Even if found to be refugees, they were initially only granted temporary visas until the current Australian Government in 2023-24 finally granted 18,000 of these refugees permanent protection.

Thousands are still suffering under this process; many are living in destitution as they are unable to work and have no access to a social safety net.

Several thousand others were sent to Papua New Guinea (PNG) and Nauru for processing, with the Rudd Government declaring in 2013 that they would never be settled in Australia. Forty-four of these people are still held in PNG and about 1,000, medically evacuated from PNG and Nauru, remain in Australia on temporary visas, many with no pathway to safe and permanent resettlement.

Many are held in indefinite detention in breach of our obligations under the International Covenant on Civil and Political Rights and the Convention Relating to the Status of Refugees.

Detention should only be used when a person poses an unacceptable risk to the community and that risk cannot be addressed in a less restrictive way. It must be time limited and proportionate.

In recent years, Australia also reduced its annual humanitarian intake of refugees, although in 2022 the Morrison Government agreed to take more Afghan refugees in addition to that year's intake cap.

Since then, the Australian Government has increased the Humanitarian Program to 20,000 places annually.

The Society calls for:

- an adequate safety net for all asylum seekers and a fairer process for all affected by the unjust fast track process
- resettlement of all people still subject to offshore processing and, people held in PNG and Nauru to be immediately moved to Australia while they await resettlement
- legislation to make immigration detention a last resort, limited to a maximum of 90 days, and improvements made to the living conditions of those that must be detained for security reasons
- increases to the annual humanitarian intake to at least 27,000 by 2027-28, reform of the family reunion program, increases to the community support program to 10,000 (making it additional), acceptance of refugees in South-East Asian countries within these increased intakes and a reformed family reunion process, and
- the holding of a Royal Commission into immigration detention, both offshore and onshore.

Why an adequate safety net is needed

The Status Resolution Support Services (SRSS) is one of the main forms of support for people while waiting to resolve their immigration status. The SRSS has been cut 95 per cent since 2015-16, from around \$300 million to just \$17 million due to restricted eligibility criteria which has resulted in recipient numbers dropping from around 13,000 to around 1,500 (March 2024). Almost four-in-five of these people are at risk of homelessness and only one-in-five is actually 'job ready', although much higher numbers are deemed so. The result is a shift in welfare costs and responsibilities from federal to state agencies and community-based organisations, at an estimated cost of between \$80 million to \$120 million per year. Charities are being left to fill the gaps and it is not sustainable.

While one-off emergency relief payments are

available, they do little to prevent people from living in over crowded conditions, becoming homeless or falling into destitution. During the pandemic, the homelessness rate for people seeking asylum was estimated to increase to over 12 per cent, affecting 14,000 people at an additional cost of \$181 million in health, justice, social and other services. Almost 90 per cent of people seeking asylum and requiring assistance from agencies reported difficulty with paying rent. Over 70 per cent went without meals and around 75 per cent had difficulty paying their utility bills.

If people seeking asylum are to live with dignity while awaiting decisions on their protection application, they must be able to access SRSS and have a valid bridging visa with associated work and study rights that are linked to Medicare. The bridging renewal process should also be automated.

The 2024 Budget made no provisions to increase work rights, study rights or access to mainstream social support, including Medicare. However, \$604 million was committed in 2024-25 to keeping people in offshore processing centres in Nauru.

Why people must be resettled

It has been 11 years since boat arrivals were shifted from Christmas Island (Australian Territory) to Manus Island (PNG) and Nauru, with no prospect of settlement in Australia. The Albanese Government continues to argue that Australia has no responsibility to the 44 people left in PNG and that, as a result of a confidential agreement between the previous Australian Government and PNG, responsibility now rests with PNG. This has resulted in the PNG Government claiming that the money to support these people has run out, leaving them in destitution since November 2023, when their allowances were stopped. However, the Australian Government is now negotiating with PNG to provide 'further capability support and funding to PNG to assist its continued independent management' of these people (Kaldor Centre). That said, it is unclear when these negotiations will be completed and what improvements, if any, will result for the people concerned. For instance, in September 2024,

tenants have received a 'notice of accommodation cessation' requesting them to make preparations to vacate their premises and contact the PNG immigration and citizenship authority 'to arrange alternative accommodation'.

Australia must help facilitate the removal of these people to Australia, New Zealand, Canada, or the USA. For those in PNG suffering from severe long-term psychological damage and health problems, they face the prospect of early deaths. They should be brought to Australia and provided the services and care needed, while they await permanent resettlement.

Many of the 44 people in PNG have no third-country resettlement options and live without legislative protections, documentation, or official recognition. Many left in PNG are now in marital relationships or similar. The Australian Government must help facilitate resettlement of all these people, including partners, to safe third countries, or to Australia.

The people left in PNG have been abandoned by successive Australian Governments. Yet Australian policies forced all these people to Manus Island. It is well overdue for the Australian Government to resolve this issue once and for all. The wait for them has been too long.

Alarmingly, the once empty Nauru detention centre is also starting to fill up again, with around 100 people transferred there in recent months.

We support the Asylum Seeker Resource Centre's campaign to evacuate people from PNG and Nauru now. Without appropriate medical treatment, the physical and mental health of people detained in PNG and Nauru will continue to deteriorate. For those who have waited in PNG for 11 years, their poor health puts their resettlement prospects at risk. They cannot wait any longer for evacuation and permanent, safe re-settlement.

A further 1,000 people, medically evacuated from PNG and Nauru to Australia also continue to suffer the impact of the offshore processing regime. Since it is Government policy that they will never be settled in Australia, they have been languishing in our community for many years on temporary visas

that must be renewed every six months. Around half have no prospect of being safely and permanently re-settled in another country. Australia must find them a home too.

Why immigration detention should be time limited and only used as a last resort

The parliamentary inquiry into the Medevac legislation identified the significant decline in health endured by those detained indefinitely in Nauru and PNG, largely due to the poor conditions, extended period of detention, loss of hope and impact of previous traumas. The Independent Health Advisory Panel reported in March 2019 that specialist medical care was not reliably available on Manus Island and there was no access to high quality in-patient psychiatric care in Nauru. The Panel reported that "patients with severe mental illness and at high risk of suicide should be transferred to a hospital with appropriate in-patient psychiatric care". It is unlikely that this situation has improved since 2019.

A recent United Nations Committee Against Torture report urges changes to Australia's refugee policy. It lists concerns about the ill-treatment of people held in immigration detention centres and subjected to Australia's offshore processing and turnback policies. The report highlights breaches of international law in Australia's treatment of refugees. It concludes that Australia maintains legal responsibility because people in offshore detention are under Australia's effective control as Australia transferred them 'to centres run with its financial aid and with the involvement of private contractors of its choice.' It urged the Australian Government to end offshore processing and transfer all people to Australia.

A recent report has found that all of the refugees in PNG, and 65 per cent of those held in Nauru are suffering physical health conditions. All refugees in PNG have reported difficulty accessing medical care, including being declined care, and are being asked to pay for care when they have no financial support. Sixty per cent of refugees in Nauru reported

concerns with the limited healthcare available there. Eighty-eight per cent of the refugees in PNG and 22 per cent of refugees held in Nauru also suffer severe mental health conditions. Unless refugees and their families are urgently evacuated to Australia, where they can access appropriate medical care and support while their resettlement is prioritised, the threat to health and human life becomes more critical by the day (ASRC, July 2024).

The Society agrees that indefinite detention has proven to be a cruel failure, not only due to the significant costs to operate the contentious detention regime – over \$12 billion from July 2012 to June 2024 – but due to the widely-documented cases of medical neglect, sexual violence, suicide attempts, mental and physical abuse and countless other human rights violations that have occurred offshore (ASRC, July 2024.)

In pure economic terms, the annual cost, per person to the Australian Government is:

- almost \$22 million to hold someone in Nauru
- \$429,000 to hold someone in detention in Australia, and
- only \$3,962 for an asylum seeker to live in the community on a bridging visa while their claim is processed (Kaldor Centre, May 2024).

The current programs and processes operating in Australia benefit few people and have high administrative overheads. Successive cuts to services have undermined people's efforts to resolve their immigration status. It is time to resolve this unacceptable situation.

Finally, the United Nations High Commissioner for Refugees (UNHCR) has developed *Guidelines on the applicable criteria and standards relating to the detention of asylum seekers and alternatives to detention*. Guideline 6 recommends that maximum limits on detention should be established in law.

In the 2018-19 Budget, the Australian Government introduced new performance targets for the Department of Home Affairs to either resolve the status of more than 85 per cent of people detained for not having a valid visa or release them in the

community within 90 days of being detained. The performance target was removed altogether from future budget portfolios.

A private member's bill has been introduced in Parliament for a 90-day detention cap to ensure Australia complies with global human rights obligations. The Bill includes provisions that once a person has been held for 90 days, their detention can be extended by a further 28 days if deemed necessary as a last resort. The Bill includes offshore detention in its scope (Tink MP, 2024).

The Joint Standing Committee Migration's Report (Sept 2024) noted that the 90-day principle for resolving protection visas was introduced under the Migration and Ombudsman Legislation Amendment Act 2005 and later repealed by the Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Act 2014. It has recommended that the '90-day rule' be reintroduced into the Migration Act 1958 (Rec 20).

The Society supports the reinstatement of a benchmark of 90 days, and that it be legislated.

Why Australia's Humanitarian Program and Community Support Programs must be increased, and family reunion reformed

The Society is disappointed that the 2024-25 Federal Budget did not provide for an increase in the number of places within Australia's humanitarian program or complementary pathways that allow displaced people to safely access protection in Australia. The humanitarian program will remain at a ceiling of 20,000 places. This includes all onshore protection places and all community sponsorship places, with the number of resettlement places reduced to make room.

This is despite the recommendations of organisations within the nation's refugee sector, such as the Refugee Council of Australia, which in early 2024 *called* for increasing the humanitarian program to 27,000 places, plus an additional 10,000

places for complementary pathways (Kaldor Centre, 2024).

The UNHCR identified 2.4 million global refugees as being in need of urgent resettlement in 2024, and this number is expected to increase significantly in 2025. Australia's Humanitarian Program must prioritise refugees for resettlement based on protection need. The Refugee Council of Australia (RCoA) recommends that this should be done through UNHCR referrals, as they are best placed to assess protection need and priorities.

The Special Humanitarian Program must support vulnerable people who have close ties to Australia but are outside of their country, face significant human rights abuses and are unable to resettle through formal channels, such as the UNHCR. Family reunion through the Migration Program must be reformed and uncapped, with discrimination based on mode of arrival removed. Clearer guidelines and criteria are needed as most applicants satisfy the formal criteria but are not granted a visa either because other applications are more compelling and/or because there are insufficient visas available to meet demand. This leads to applicants re-applying which means that refusals do not address the backlog. If there are priority grounds, these must be published (RCoA, June 2024).

The link between the onshore protection visa program and the offshore Humanitarian Program must be broken. Currently onshore protection visas are capped at 3,000 for this year. This reduces the number of refugees in need of being resettled from overseas and exacerbates the backlog in unresolved onshore protection visa applications. The Society supports the Refugee Council of Australia's calls for onshore protection visas to be separated from the Humanitarian Program, uncapped and protection-focused.

We note that little progress has been made to increase complementary pathways, with the only example actioned being the Skilled Refugee Labour Agreement Pilot (RCoA, June 2024).

Complementary Pathways

The extension of the Community Refugee Integration and Settlement Pilot (CRISP) is welcomed but its places should be additional to the Humanitarian Program, with numbers increasing to 2,000 by 2027-28.

The Community Support Program (CSP) should be reformed. For example, visa processing delays make it difficult for employers to line up work and sponsors have to pay too much for applications. Even so, a backlog exists due to the inadequacies of the family reunion process. Further, as CSP is not additional to the Humanitarian Program, much-needed places that should be set aside for UNHCR referrals are being absorbed by fee-paying sponsorships. Similar to CRISP, CSP places should be additional to the Humanitarian Program.

The CRISP and CSP are not complementary when their places detract from much-needed resettlement places under the Humanitarian Program.

As noted by the Refugee Council of Australia, the Skilled Refugee Labour Agreement Pilot has been successful and certainty about its future is needed, with the Program aiming to bring in 5,000 primary applicants to the skilled program by 2027-28.

Why a Royal Commission is needed

When the Society released its Policy on People Seeking Asylum in September 2023, it included a new advocacy priority calling for a parliamentary inquiry into immigration detention both offshore and onshore, starting by the end of that year.

The booklet and associated media release noted that the existing detention arrangements both offshore and in Australia were unjust, cruel and costly - and surrounded in secrecy. Our National President stated that "we need to know the full truth about the cruelty."

The Society decided on a pragmatic approach to change, supporting the decision by the Labor Party

at its National Conference the month before to include a parliamentary inquiry into immigration detention in its 2023 National Platform. But the Society also injected urgency into that proposal, by stating the inquiry "should have a key aim of getting quick action to eliminate the remaining injustices," by adding that it should be started by the end of 2023.

In September, the recently emptied Nauru detention centre began receiving new inmates. Some of the nearly 100 people now there have been on Nauru for almost a year, with the same issues, notably health concerns, as those experienced by people who arrived in 2013, again without adequate care and with little, if any, outside monitoring.

In November 2023, the PNG Government ceased most of its support to the remaining 46 people still held in Port Moresby who are living in destitution.

Also in November, the High Court declared that the detention in Australia of some 150 people from overseas who had faced criminal charges and completed their sentences was unconstitutional, and they were released. The response of both the Government and Opposition, in introducing one draconian law immediately and considering a second early in 2024, indicated that there was little hope of the current Parliament conducting any meaningful parliamentary inquiry into immigration detention.

However, there was another more positive development in November 2023, involving the launch of the campaign to convene a Royal Commission into Immigration Detention by the Justice and Peace Office of the Catholic Archdiocese of Sydney. The campaign booklet argues that the unique powers of a Royal Commission to compel organisations to provide confidential information and to offer protection for otherwise fearful witnesses, together with the objectivity of a non-political Commissioner, would be the best way to determine if urgent reforms were needed.

Following the launch, the Refugee Council of

LET'S BUILD A FAIRER AUSTRALIA! PEOPLE SEEKING ASYLUM IN AUSTRALIA

DECEMBER 2024

Australia issued a statement in support, saying that 'a Royal Commission into the use of immigration detention is urgently needed to highlight the harm that detention has caused and show a clear way forward.'

Finally, in February 2024, the Richardson review of the Department of Home Affairs' conduct of *Management of Regional Processing Administration* was released. It found that, amongst other things, proper due diligence was lacking when it came to contracts with relatively small companies with limited or no public profile, and where operations were to be in high-risk environments.

As the current parliamentary term draws to an end, and the calling of a Royal Commission appears unlikely before the Federal election, the Society will advise all sitting Members of Parliament of our ongoing determination to seek transparency and accountability around the handling of asylum seekers and refugee arrivals over recent decades, including, as would seem necessary, the calling of a Royal Commission. This will be included in our pre-election policy platform.

Achievements to date

In addition to progress outlined above, the Society recognises and supports the following achievements to date including:

- granting permanent protection for 18,000 refugees on Temporary Protection Visas (TPVs) and Safe Haven Enterprise Visas (SHEVs) and cancelling Ministerial Direction 80 which prevented these people seeking family reunion
- the movement of the remaining people held in

Nauru for a decade to resettlement in a safe third country or temporarily to Australia

- the reduction in the number of people in Australian immigration detention from 1,400 in May 2022 to 1,100 in May 2023 largely through increased and more sympathetic Ministerial intervention
- an increase in Australia's annual humanitarian intake to 20,000
- support for establishing and growing resettlement programs and complementary pathways in other countries
- declaring its intention to increase community sponsorship and complementary places to 10,000 per year
- implementing the expanded Skilled Refugee Labour Agreement Pilot to deliver 500 primary visas by 2025
- developing a refugee student settlement pathway with the higher education and settlement sectors increasing the number of assessors and establishing the new Administrative Review Tribunal.
- the 23 pledges and \$265M commitment made at the December 2023 Global Refugee Forum with \$235M to support displaced Rohingya and communities in need in Myanmar and Bangladesh
- the newly appointed nine-member Refugee Advisory Panel
- Australia becoming Chair of the Global Taskforce on Refugee Labour Mobility.

“ It is a duty of humanity, it is a duty of civilisation, to save people in difficulty. ”

- Pope Francis