How to provide comment

This discussion paper seeks your views on a proposed model for a Community Support Programme, which is proposed to replace the existing Community Proposal Pilot. A copy can be found on the Department of Immigration and Border Protection’s website at: www.immi.gov.au/pub-res/Pages/discussion-papers/overview.aspx

The discussion paper:

- explains Australia’s Humanitarian Programme
- explains the community support concept, and
- identifies a number of important factors and issues in considering the potential design of a Community Support Programme

Comments on this paper will inform government considerations of a potential model for a proposed Community Support Programme.

Please submit your suggestions or comments by 15 July 2015 to:

community.proposal.pilot@immi.gov.au

or

Assistant Secretary, Citizenship and Humanitarian Policy Branch
PO Box 25
BELCONNEN ACT 2616
Australia’s Humanitarian Programme

Refugees in the world today

The forcible displacement of people due to conflict and persecution is one of the major challenges facing the world today. At the end of 2013, the United Nations High Commissioner for Refugees (UNHCR) estimates that 51.2 million individuals were forcibly displaced worldwide as a result of persecution, conflict, generalised violence or human rights violations. Some 16.7 million persons were refugees (including Palestinian refugees), 33.3 million were internally displaced persons (IDPs) and close to 1.2 million were asylum seekers.¹

The global number of refugees under UNHCR’s mandate worldwide at the end of 2013 was estimated at 11.7 million. This figure represents an increase from 10.5 million in 2012 and is largely due to escalating crises in the Syrian Arab Republic and multiple parts of Africa. In 2013, UNHCR offered over 93,200 refugees to States for resettlement consideration and 98,400 refugees were accepted, according to Australian Government statistics.²

Australia’s role

As a member of the global community, Australia shares responsibility for protecting refugees worldwide and resolving refugee situations through the system of international refugee protection.

This commitment is most strongly expressed through Australia’s Humanitarian Programme (the Programme), which aims to respond to global humanitarian and resettlement needs, to enhance Australia’s international position, to allow for the reunification of families separated by conflict and, most significantly, to be one in which the Australian community has confidence.

Australia is one of around 27 countries that offer resettlement places. Ten countries have established annual resettlement programmes that resettle 500 or more refugees referred by the UNHCR. Australia consistently ranks in the top three resettlement countries, along with the United States of America and Canada, which between them offer close to 83 per cent of global resettlement places.

Australia’s Humanitarian Programme

The Programme comprises the offshore resettlement and onshore protection components.

The offshore resettlement component offers resettlement in Australia for refugees overseas who are in the greatest need of resettlement and others in refugee-like situations who have family or community support in Australia.

The onshore protection component is reserved for people who have arrived lawfully in Australia and who are found to engage Australia’s protection obligations. Illegal Maritime Arrivals and Unauthorised Air Arrivals who are found to engage Australia’s non-refoulement obligations are granted a temporary protection visa product which is not counted as part of the Programme.

Further information about the Programme is available on the department’s website at www.immi.gov.au/visas/humanitarian

**Humanitarian Programme outcomes by component and category 2013–14**

<table>
<thead>
<tr>
<th>Component</th>
<th>Visa category</th>
<th>Visa grants</th>
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<td></td>
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<td></td>
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</tr>
<tr>
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<td>Protection</td>
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<td></td>
<td>Sub-total</td>
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</tr>
<tr>
<td><strong>Total programme grants 2013–14</strong></td>
<td></td>
<td><strong>13,768</strong></td>
</tr>
</tbody>
</table>

Each year the government sets the number of visas that may be granted under the Programme. The 2014–15 Programme has 13,750 places comprising:

- a minimum of 11,000 places for the offshore component, and
- the balance of the remaining 2750 places for permanent Protection visas granted under the onshore component.

In 2013–14, there were 72,162 visa applications lodged and 56,800 visa applications finalised.

**Increasing the size of the Humanitarian Programme**

On 23 December 2014, a disallowable instrument made under section 39 of the *Migration Act 1958* came into effect. The instrument specifies the size of the Programme for 2015–16, 2016–17, 2017–18 and 2018–19 to be a minimum of 13,750, 13,750, 16,250 and 18,750 places respectively.

The 2018-19 offshore component of the Programme will see Australia's largest intake from overseas in 30 years. This increase to the offshore component of the Programme demonstrates the government's commitment to a strong humanitarian intake, focussed on those most in need of resettlement.

**A Humanitarian Community Support Programme**

**What is the purpose of a Community Support Programme?**

Australia does not have the capacity to resettle all those in humanitarian situations overseas. The number of people seeking resettlement in Australia will always outstrip the number of places available under the Humanitarian Programme. 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 and people and communities in Australia can be frustrated in their attempts to bring their friends and family members in humanitarian need overseas to Australia.

In this context, the government is considering the feasibility of a community sponsorship programme for some humanitarian clients, notionally called a Community Support Programme. A Community Support Programme could provide communities in Australia with an additional option for identifying and proposing their family and community members overseas for resettlement in Australia. In return, a Community Support Programme would harness the willingness and capacity of families and communities in Australia to make a heavier social and financial investment in the end-to-end resettlement process. In doing so, it may provide government with a lower cost option for resettling some humanitarian entrants without compromising their settlement prospects.
Building on the goodwill that exists in communities, a Community Support Programme could provide local opportunities to be directly involved in the resettlement of humanitarian entrants from overseas. Humanitarian entrants under the programme would also benefit from a supportive settlement environment that utilises the settlement experience of families and communities in Australia to assist them to adjust to life in Australia and move towards independence and participation, including employment.

Importantly, this proposed programme will leverage off the experience and knowledge gained through the operation of a trial community sponsorship programme — known as the Community Proposal Pilot (the Pilot) — which has been in operation since 1 June 2013. Information about the Pilot, including preliminary results, is at Attachment A.

Do other countries have similar programmes?

The community sponsorship concept draws on the experience and lessons learned from the Canadian Government’s Private Sponsorship of Refugees (PSR) Programme, which has operated since 1978. More than 200,000 people have migrated to Canada under the PSR Programme, and the Canadian Government set an admissions target of 6500 under the PSR Programme in 2015.³

Information on the Canadian PSR Programme is available on the Citizenship and Immigration Canada’s website at www.cic.gc.ca/english/resources/publications/ref-sponsor/index.asp.

While the Canadian model provides a useful context and international precedent, the government is not expressing a view on whether elements of it should be replicated in Australia.

Questions for Discussion

Who should be able to propose humanitarian clients?

Similar to current arrangements under the SHP, a characteristic of a community sponsorship programme is that it provides an avenue for Australian communities to identify people in humanitarian situations overseas to propose for a humanitarian visa. This differs from the Refugee category of the Humanitarian Programme, for which priority is given to people outside their home country, who have been assessed and formally referred to Australia by the UNHCR.

Only Approved Proposing Organisations (APOs) can propose humanitarian clients under the existing Pilot. APOs are well-established community organisations in Australia that have entered into a Deed of Agreement with the Department of Immigration and Border Protection to propose people for Refugee and Humanitarian visas. APOs are generally approached by Australian resident family members of the applicant who are willing and able to provide the settlement support required, or a smaller community based organisation that is also able to provide support through its community networks. Australian resident family members (or community organisations) lodge an expression of interest with an APO, which will then undertake an assessment of the expression of interest and capacity of the proposer to meet the obligations required of them (see section on Community Proposal Pilot for details). APOs also ensure that settlement services are being provided to successful applicants on arrival.

There are currently five APOs, which are located in New South Wales, Victoria and South Australia. However, APOs are able to propose people with Australian family links in other states and territories.

The experience of the Pilot to date suggests that communities in Australia appreciate the additional avenue that the Pilot provides for them to propose their family and friends who are in humanitarian situations offshore for a visa to Australia.

**Questions for consideration:**

1. Should communities in Australia be able to identify people to propose 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.

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

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

A Community Support Programme would primarily be a humanitarian scheme. Therefore, people proposed under a Community Support Programme would be required, as with other applicants for humanitarian visas, to meet all the legislative criteria for the grant of a humanitarian visa including health, character and security requirements. This includes being subject to persecution or substantial discrimination, amounting to gross violation of human rights, in their country of origin.

As in the current Pilot, a final decision on whether to grant a humanitarian visa to a person proposed under a Community Support Programme will be made by the Department of Immigration and Border Protection after assessment by a case officer against the legislative requirements. There will be no guarantee that proposal under a Community Support Programme will lead to a visa grant.

Applicants under the existing Pilot have their applications assessed with high priority, wherever possible. Priority processing offers an additional incentive for communities and individuals to engage with the Community Support Programme as a resettlement option over, or in addition to, other resettlement options through the standard Humanitarian Programme.

A further eligibility consideration may be the vulnerability of the humanitarian visa applicant. Some humanitarian clients have had traumatic experiences overseas and may require additional layers of support that are most appropriately provided by government-funded settlement service providers. It may not be suitable to resettle these clients under a Community Support Programme wherein communities in Australia have primary responsibility for providing care and settlement support.

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.
Questions for consideration:

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.

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?

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

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

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?

Should a Community Support Programme include an Assurance of Support requirement?

All permanent humanitarian entrants, including people resettled under the existing Pilot, are able to access the full range of income support payments through Centrelink, subject to their respective eligibility requirements. Most migrants to Australia generally do not have immediate access to payments from Centrelink and are required to wait 104 weeks under a Newly Arrived Residents Waiting Period (NARWP) before being able to access most payments and benefits, such as Newstart Allowance or Youth Allowance. However, humanitarian visa holders are subject to a qualifying residence exemption for all social security payments and are exempt from the NARWP.

The provision of income support through Centrelink makes up a significant proportion of the cost of resettling humanitarian entrants in Australia. A Community Support Programme 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.

A possible method of achieving this aim is to better harness the willingness of communities in Australia to provide a financial and social contribution to resettling humanitarian entrants through the introduction of an Assurance of Support (AoS) requirement with a Community Support Programme.

The AoS scheme is already written into Australia’s Social Security legislation, and is used in other visa programmes — notably the Contributory Parent visa scheme.

In broad terms, an AoS requirement obliges assurers (persons who give an AoS) to repay to the government some of the health and welfare costs incurred in providing support to the assurees (the migrant who draws upon the services) during their first two years of settlement in Australia. It is expected (but not required) that the assurer for humanitarian entrants in a Community Support Programme would be the entrants’ family or community members in Australia.

Each AoS can cover up to two adults and an unlimited number of their dependent children. An AoS can last for 2 or 10 years, depending on the type of visa. The period starts from the date the migrant arrives in Australia, or the date that the visa is granted (whichever is the later date).
As a security measure, the assurer may also be asked to provide a bank guarantee. Assurers should be prepared to deposit money with the bank to cover the value of the bank guarantee. Under current arrangements, a two-year AoS requires a bank guarantee of $5,000 for the primary applicant and an additional $2,000 for any adult secondary applicant. A ten-year AoS requires a bank guarantee of $10,000 for the primary applicant and an additional $4,000 for any adult secondary applicant.

There are no exemptions from the AoS provisions. If the assuree (the humanitarian entrant) receives any of the payments covered by an AoS during the AoS period, the full amount paid to the assuree becomes a debt to the Australian Government and is to be repaid by the assurer. Once the AoS has been accepted and the visa has been issued, the AoS cannot be cancelled except in very limited circumstances. For example, the AoS cannot be cancelled due to events such as financial hardship, breakdown in relationships or the migrant obtaining Australian citizenship.

Questions for consideration:

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?

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

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

A central component of a community sponsorship programme is that communities in Australia take a greater role not only in identifying people in humanitarian situations to propose, but also in providing settlement support to entrants under the programme, including providing significant financial support. It is important to establish a Community Support Programme as a lower cost to government resettlement option to support its viability and possible future expansion.

A VAC is a mechanism that is used in the current Pilot to partially offset the costs to the government for support services available to humanitarian entrants under the Pilot after arrival in Australia — including the cost of Medicare, and some employment services. The VAC is not a payment for a visa, or payment for processing a visa application with priority. Further information on the VAC arrangements under the Pilot is included at Attachment A.

The VAC also serves as 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.

Despite the VAC, and some initial concerns regarding its costs, there are more clients willing to proceed in the Pilot than there are places available.

Feedback from the Pilot suggests that the total VAC amount is less than some people in Australia are remitting overseas to support family members in humanitarian situations over a period of time, and therefore resettlement through the Pilot presents a cost-effective means of caring for family members, despite the VAC.
Questions for consideration:

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

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

Under the existing Pilot, APOs and Australian family members of the applicant are required to support proposed entrants through the application process and for up to twelve months after their arrival in Australia by ensuring the following is provided:

- assistance with the visa application process
- payment of a two-stage visa application charge (VAC)
- payment of medical assessment fees
- payment of airfares to Australia, and
- practical initial support to assist humanitarian entrants broadly similar to that which is currently provided to other refugees and humanitarian entrants under the government-funded Humanitarian Settlement Services (HSS).

Services that must be provided to humanitarian entrants under the Pilot 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.

By comparison, proposers of humanitarian entrants under the SHP help the entrant to organise and pay for travel to Australia, and assist with initial accommodation and orientation in Australia. SHP visa holders can also access services under the HSS programme, with the level of service provided determined through a needs assessment. SHP visa holders can access Centrelink, Medicare, and other mainstream services, depending on the standard eligibility requirements for these services, which is determined by legislation administered by relevant government agencies.

**Access to Humanitarian Settlement Services (HSS)**

On arrival in Australia most humanitarian entrants, with the exception of entrants under the existing Pilot, are referred to the HSS programme, administered by the Department of Social Services (DSS). HSS provides early practical support to new humanitarian entrants to help them settle in the community. The programme operates through an integrated case management approach, assessing individual settlement needs and providing support to build the independence of clients in the first six to 12 months following their arrival.

Under the existing Pilot, APOs and proposers / communities are expected to provide practical support to humanitarian entrants broadly similar to those provided under the HSS programme.
All humanitarian entrants in their first five years after arrival, including those proposed under the existing Pilot, are able to access services provided under Settlement Services Grants and the Complex Case Support Programme, also administered by DSS.


Questions for consideration:

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?

What happens next?

Community feedback through this discussion paper will inform government considerations on the feasibility and possible model of a Community Support Programme.
Further information

Humanitarian Programme


Community Proposal Pilot


SHEVs and TPVs

- Safe Haven Enterprise visas: [www.immi.gov.au/About/Pages/ima/info.aspx#sub-heading-7](http://www.immi.gov.au/About/Pages/ima/info.aspx#sub-heading-7)

Government services


Research

Community Proposal Pilot

A trial community sponsorship programme, known as the Community Proposal Pilot (the Pilot), commenced on 1 June 2013 and provides for up to 500 places within the offshore component of the 2014–15 Programme.

In the Pilot, organisations approved by the department, known as Approved Proposing Organisations (APOs), work with community organisations and families to:

- ensure the visa application charge (VAC), which is approximately $30,000 for a family of five ($19,124 for the primary application and $2,680 for each secondary applicant), is paid
- provide the cost of airfares and medical checks
- provide initial practical support to assist humanitarian entrants settle successfully, and
- provide services which are broadly similar to those currently provided to humanitarian entrants under the Humanitarian Settlement Services programme.

To date, five APOs have been appointed, reflecting the modest size of the Pilot. They are: AMES and the Brotherhood of St Laurence (Victoria); Illawarra Multicultural Services and Liverpool Migrant Resource Centre (New South Wales); and the Migrant Resource Centre of South Australia.

To become APOs, organisations were required to be well-established, with strong administrative and governance frameworks, and a charter for assisting humanitarian entrants. Organisations needed to demonstrate a strong volunteer network and provide evidence of experience in:

- governance and administration
- financial management
- resettlement of humanitarian entrants, and
- engaging with community organisations.

Applicants under the Pilot must meet standard humanitarian visa requirements, and their applications are afforded priority processing by the department.

**Statistics**

- The first visa applications in the Pilot were lodged in October 2013, and the first visas were granted in February 2014.
- From 1 July 2013 to 30 June 2014, 154 applications (encompassing 570 people) were received and 245 visas were granted.
- From 1 July 2014 to 29 March 2015, 151 applications (encompassing 531 people) were received and 422 visas were granted.
- Since the Pilot commenced, to 29 March 2015, 305 applications (encompassing more than 1,100 people) had been received and 667 visas had been granted.


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<thead>
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<th>Rank</th>
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<tr>
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<td>Iraq</td>
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</tr>
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<td>3.</td>
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<td>4.</td>
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<tr>
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Preliminary outcomes

To date, there has been sufficient community demand, and appropriate interest from community organisations to become proposing organisations, to satisfy the 500-place Pilot and to support an expanded and increased programme. There are more clients willing to proceed in the Pilot than there are places available, despite the challenges some communities may incur due to the fees associated with the Pilot. This could be because some communities already remit significant amounts to support family members overseas and these costs would cover the fees associated with the Pilot.

Aside from the fees, barriers to greater community engagement with the Pilot are the limited number of places available and the difficulties associated with processing non-standard humanitarian caseloads, such as applicants who are still in their country of origin, or in other locations which are difficult to access, or applicants with links to illegal maritime arrivals.

With 423 visas granted in the Pilot to 30 November 2014, the experience of the Pilot suggests a community support programme could provide an additional resettlement pathway. Pilot applications receive high processing priority from the Department and, accordingly, it has been found that Pilot applications are being assessed expeditiously.

It has been found that the Pilot applications contributed to the cost of resettlement with $2.04 million in VAC revenue, and that government costs were further reduced by having communities provide settlement support to entrants under the Pilot that would otherwise have been provided through the Humanitarian Settlement Services (HSS) programme.