



Friday, 19 May 2017

Joint Standing Committee on Migration  
PO Box 6021  
Parliament House  
Canberra ACT 2600

## Inquiry into Migrant Settlement Outcomes – supplementary information

The Settlement Council of Australia (SCoA) appeared before the Committee in relation to its inquiry into Migrant Settlement Outcomes ("Inquiry") in March 2017, at which time we were grateful for the opportunity to discuss with you the content of our submission, dated 31 January 2017.

During our appearance, SCoA took on notice two questions, relating to:

- The introduction of pre-arrival English language training for humanitarian entrants; and
- The reasons for Australia's less-favourable rankings in certain key policy areas in the Migrant Integration Policy Index (MIPEX).

We now present to the Committee our submission in relation to these two issues.

### The feasibility of English language training prior to arrival in Australia

It has been a continuing theme in the evidence received by the Committee that, as SCoA stated in its submission, English language ability is crucial to a migrant's ability to settle well in Australia, especially where that migrant and their family lacks a personal support network in Australia already fluent in English.

With this in mind, SCoA notes that the Committee is giving considerable thought to the potential for providing English language training to humanitarian migrants *prior to* their arrival in Australia.

In our evidence at the public hearing on 22 March 2017, SCoA discussed with the Committee the existence of the Australian Cultural Orientation training (AUSCO) provided to humanitarian entrants in refugee camps prior to their arrival in Australia.

AUSCO is funded by the Department of Social Services and delivered on behalf of Australia by the International Organisation for Migration (IOM) in four regions: South Asia, Africa, Middle East and South East Asia. According to DSS' website, the objectives of the AUSCO Program are to:

- provide accurate information on the departure processes
- describe the settlement process and provide practical information about post-arrival settlement services and how to access them
- present a realistic picture of life in Australia

- encourage English language training on arrival in Australia
- provide participants with the basic skills necessary to achieve self-sufficiency
- equip participants with the necessary tools to deal with initial settlement concerns and the different stages of cultural, social and economic adaptation. This includes information about Australian laws and norms.<sup>1</sup>

Courses are delivered over a period of up to five days and, in addition to some basic English tuition included in the curriculum, cover aspects crucial to settling in Australia, including:

- Overview of Australia
- Settlement services
- Housing
- Health
- Money
- Education
- Employment
- Law
- Travel to Australia

Our discussions with the Committee turned to the potential for this training to be extended to include extensive English language training, or for a similar training program to be developed.

Following the public hearing, SCoA has held talks with DSS in relation to this, and discovered that in 2015 a review of AUSCO was commissioned by DSS and IOM and conducted by Dr Misty Adoniou of the University of Canberra. DSS has informed SCoA that the review was undertaken to strengthen messaging in AUSCO around English, education and employment, the rights of women in Australian society, family safety and the management of client expectations about life in Australia. The report made a number of recommendations to improve the delivery of AUSCO.

Consideration was given to incorporating further English language training as part of the AUSCO program. However there are significant limits on what AUSCO, or a similar program, could be expected to achieve in terms of English language. This is due to:

- limited timeframe for delivery (AUSCO operates for up to 5 days at most);
- Difficult and variable training conditions in refugee camps with varying levels of sophistication; and
- Difficulty in reaching all humanitarian entrants equally given the variety of refugee experiences and potentially difficult circumstances faced by refugees prior to their departure for Australia.

It is also submitted that by far the most effective method of acquiring a new language is not only through tuition, but immersion in the community, following arrival in Australia.

Of particular relevance to this issue, DSS has shared the following extract from the report:

In particular, AUSCO cannot teach English. The nature of English-language acquisition, the length of time required (2 years for communicative competency) and the optimal conditions for language learning mean it is neither feasible nor desirable to make English-language acquisition an aim for AUSCO. AUSCO

<sup>1</sup> For more information, see Department of Social Services <https://www.dss.gov.au/settlement-and-multicultural-affairs/programs-policy/a-multicultural-australia/the-australian-cultural-orientation-ausco-program> accessed on 12 May 2017.

is required to deliver key settlement information, and this is most effectively and efficiently done in the mother tongue of the recipients. However, AUSCO can deliver strong messaging about the importance of English-language proficiency in successful and prosperous resettlement to Australia...<sup>2</sup>

For these reasons, SCoA holds the view that, while it both useful and necessary to introduce AUSCO participants to the English language, and specifically, to the importance of learning English once in Australia, it is unlikely to be viable to require any useful level of English language training prior to their arrival in Australia.

### Australia's ranking in the international Migrant Integration Policy Index

In our submission and subsequently in discussions with the Committee during its public hearing on 22 March 2017, we raised the important Migrant Integration Policy Index (MIPEX) and noted Australia's ranking among comparable countries in that index as, generally, a very positive indication of the success of government policies in this area.

MIPEX is an objective study of migration and settlement policies of 38 countries which considers each country against 8 key policy areas, providing rankings for each of those policy areas, as well as an overall ranking.

Australia ranks 8<sup>th</sup> overall, and in each of the key policy areas, ranks as follows:

Policy Area	Australia's rank (out of 38)
Labour market mobility	19
Family reunion	11
Education	2
Health	4
Political participation	9
Permanent residence	25
Access to nationality	5
Anti-discrimination	13

During the public hearing, SCoA was asked to provide further detail on those areas where Australia's ranking shows room for improvement. These were identified as being:

1. Labour Market Mobility
2. Family Reunion
3. Permanent Residence
4. Anti-discrimination

In order to assist the Committee, we have set out below a brief discussion of the policies considered in each of these key areas.

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<sup>2</sup> If the Committee seeks further information concerning AUSCO and the review discussed above DSS has indicated it would be happy to provide that information upon request.

## Labour Market Mobility

MIPEX summarises this area as follows:

Labour market integration happens over time and depends on the general policies, context, immigrants' skills and reason for migration. Certain effective employment policies may be too new and small to reach the many non-EU citizen men and women in need, who rarely access any training or benefits.<sup>3</sup>

Australia ranks 19 out of 38 participating countries in this Policy Area. SCoA notes that Australia has a strong history of providing migrants with access to employment rights on arrival, and in supporting them in their endeavours to seek employment. Nevertheless, given the crucial importance of employment as a settlement outcome, it is worth considering areas where Australia's policy settings could contribute to its relatively low score compared to other countries. In this regard, MIPEX considers whether immigrants have equal rights and opportunities to access jobs and improve their skills.

Here, MIPEX looks at how each country's policies support migrants in accessing the local job market. This can include:

- Access to all types of employment (in Australia, temporary migrants, and in some cases, permanent residents, are precluded from eligibility for certain jobs, including in the public service)
- Access to appropriate skills recognition of overseas qualifications (while Australia is one of only a handful of countries that do provide overseas skills recognition, according to MIPEX, it remains a relatively new concept, burdened by red tape and complexity)
- Targeted support for employment (Australia does not have a targeted national program for the integration of migrants into the labour market, and MIPEX notes that many government-funded support services are not available to many migrants immediately on their arrival)
- Adequate and equal protection of workers' rights (in Australia migrant workers' rights are offered the same level of protection as others, though MIPEX notes that, despite paying full taxes, most migrants are excluded from parts of the social security system, leaving them vulnerable).<sup>4</sup>

SCoA notes that Australia has made some positive advancements in relation to assisting migrants' labour market integration. These are occurring both at the national level (with increased focus on employment support, especially in the humanitarian stream) and also on a state-by-state basis (for example, the NSW Government's recently announced Refugee Employment Support Program (RESP), which is scheduled to commence in 2017).

However, in order to improve its ranking in this area, SCoA suggests that policy changes could be considered which provide greater support, both financial and practical, to newly arrived migrants. This support should focus both on the job acquisition process (including targeted programs wherever possible) and also empowering migrants who have secured employment to ensure they are free from discrimination and exploitation and enjoy all of the rights afforded to other workers in Australia.

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<sup>3</sup> Migrant Integration Policy Index (MIPEX), <http://www.mipex.eu/labour-market-mobility>, accessed on 2 April 2017

<sup>4</sup> Australia's performance against these indicators is measured by MIPEX at, <http://www.mipex.eu/australia>, accessed on 12 May 2017.

## Family Reunion

MIPEX summarises this area as follows:

For the small number of transnational families, family reunion policies are one major factor determining whether or not they reunite in the country.<sup>5</sup>

The major component of this policy area looks at the ease with which families are able to reunite with migrants who have migrated to Australia.

The Settlement Council has previously made public recommendations concerning the importance of the availability of family reunion to a migrant's settlement prospects.<sup>6</sup>

In assessing this policy setting, MIPEX considers a migrant's eligibility to bring their family to Australia, the rights and security of any family members on arrival and any conditions imposed upon their eligibility for reunification.

Concerns raised by MIPEX in ranking Australia 11<sup>th</sup> include:

- The restrictive definition of "family" under the Migration Act 1958;
- Limits on family reunification for temporary residents; and
- Limits for adult children to join their families in Australia.<sup>7</sup>

SCoA notes that recent arrivals, particularly of a refugee background, face difficulties accessing expensive visa options, and navigating complex and restrictive eligibility criteria, which can act to prevent family reunion. We acknowledge, however, the recent introduction of a Temporary Parent visa which may ease this process for some applicants, though concern has been raised as to the cost of this program and the prohibitive nature of some of its criteria.<sup>8</sup>

In assessing Australia's performance in this policy area, MIPEX notes that family members of migrants are generally afforded adequate rights (including work rights) and security. However, Australia's policies restricting access to social services are considered to be a negative consideration.

## Permanent Residence

MIPEX summarises this area as follows:

The security of permanent residence may be a fundamental step on the path to full citizenship and better integration outcomes. Most immigrants are long enough settled to apply—and most have in many major, longstanding and new destinations.<sup>9</sup>

Australia's ranking in this area is perhaps the most surprising, at 25 out of 38. This demonstrates that, comparatively, the country's policies for permanent residency are restrictive, rather than inclusive.

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<sup>5</sup> Migrant Integration Policy Index (MIPEX), <http://www.mipex.eu/family-reunion>, accessed on 2 April 2017

<sup>6</sup> <http://scoa.org.au/research-and-publications/issues-paper-refugee-family-reunion>

<sup>7</sup> Australia's performance against these indicators is measured by MIPEX at, <http://www.mipex.eu/australia>, accessed on 12 May 2017.

<sup>8</sup> For example, see FECCA Media Release [http://fecca.org.au/news-events/media-releases/?month\\_num=5&year\\_num=2017](http://fecca.org.au/news-events/media-releases/?month_num=5&year_num=2017) accessed on 12 May 2017.

<sup>9</sup> Migrant Integration Policy Index (MIPEX), <http://www.mipex.eu/permanent-residence>, accessed on 2 April 2017

In assessing this, MIPEX considers how easily immigrants can become permanent residents, and thus, how secure they can be in their settlement. As SCoA has covered in its submission to the Inquiry, “security” is crucial to the successful settlement of migrants in Australia. In this regard MIPEX notes that:

- Australia’s policies are only “halfway favourable” as a result of difficult eligibility criteria, backlogs in processing, and the ability for visa cancellation to cause a permanent resident to lose their status.
- A major weakness for integration is that “newcomer permanent residents enjoy weaker rights than in nearly all MIPEX countries” including the two-year waiting period for access to social security benefits, and 10 years for disability and aged pensions.<sup>10</sup>

For these reasons, and others discussed by SCoA in its submission, we urge the government to avoid any further restrictions on both the eligibility criteria for, and rights attached to, permanent residency in Australia. SCoA considers this a crucial element of settlement for migrants and thus, an area where Australia should take on board the comments and considerations of MIPEX to ensure better performance.

### Anti-Discrimination

Australia is ranked moderately at 13 out of 38 participating countries regarding anti-discrimination policy settings in MIPEX. MIPEX considers:

AU residents are not fully protected against discrimination in all areas of life, without a comprehensive Human Rights Act, going against international reform trends.<sup>11</sup>

SCoA has provided a detailed discussion of discrimination in our submission to the Inquiry, including making recommendations for the enhancement and protection of multiculturalism in Australia. We hope the Committee will consider these recommendations, and those of our colleagues, so that this crucial element of the settlement journey can be appropriately ensured.

### Conclusion

We trust that this information is of assistance to the Committee as it continues its investigations.

If the Committee wishes to further discuss the contents of this submission, or any other matter of relevance, please do not hesitate to contact our National Office on 02 6282 8515.

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<sup>10</sup> Australia’s performance against these indicators is measured by MIPEX at, <http://www.mipex.eu/australia>, accessed on 12 May 2017.

<sup>11</sup> Migrant Integration Policy Index (MIPEX), <http://www.mipex.eu/australia>, accessed on 2 April 2017