



# **Submission to the Joint Standing Committee on Immigration**

**Inquiry into Migrant Settlement  
Outcomes**

**Submission from  
Fairfield City Council  
86 Avoca Street  
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## TABLE OF CONTENTS

1	CONTEXT OF FAIRFIELD LOCAL GOVERNMENT AREA .....	3
2	SETTLEMENT IN FAIRFIELD (LGA) .....	3
3	INCOME LEVELS IN FAIRFIELD LGA .....	4
4	HOUSING STRESS .....	5
5	The mix, coordination and extent of settlement services available and the effectiveness of these services in promoting better settlement outcomes for migrants .....	5
6	National and international best practice strategies for improving migrant settlement outcomes and prospects .....	8
7	The importance of English language ability on a migrant's, or prospective migrant's settlement outcome.....	9
8	Whether current migration processes adequately assess a prospective migrant's settlement prospects .....	11
9	Social engagement of youth migrants, including involvement of youth migrants in anti-social behavior such as gang activity, and the adequacy of the Migration Act 1958 character test provisions as a means to address issues arising from this behavior .....	12
10	Conclusion .....	14

This submission has been prepared by Council Officers and has not been endorsed by Council due to time constraints.

## **1 CONTEXT OF FAIRFIELD LOCAL GOVERNMENT AREA**

Fairfield Local Government Area (LGA) is located in South West Sydney between Parramatta, Liverpool and Penrith LGAs. Fairfield LGA is the third most populated local government area of Sydney with an estimated residential population of 204,442 in 2015. It is the most disadvantaged area in the Sydney Metropolitan Area with high unemployment, low educational attainment, low household incomes, high housing stress and poor health outcomes. The City is also home to the largest refugee and humanitarian entrant community Australia wide.

## **2 SETTLEMENT IN FAIRFIELD LOCAL GOVERNMENT AREA (LGA)**

According to the 2011 Census, Fairfield LGA is one of the most culturally and linguistically diverse (CALD) in Australia with approximately 144 different languages spoken. More than half of the Cities residents (52%) were born overseas and nearly 70% speak a language other than English at home. Almost half the residents of Fairfield are bi or multilingual with over 20% of people stating that they speak English poorly or not at all.

A large portion of Fairfield Cities CALD residents arrived in Australia under Australia's Refugee and Humanitarian Program.

Between 01 January 2012 and 01 January 2017, more humanitarian entrants settled in Fairfield LGA than in any other city in Australia (9,930 people) representing 44.3% of the total NSW Humanitarian intake. This includes visa subclasses 200 (offshore and out of country of birth), 201 (offshore and in country of birth being persecuted), 202 (sponsors), 203 (living outside country of birth and in urgent need of protection), 204 (women at risk). Of the 9930 refugee and humanitarian entrants who settled in Fairfield City during this period, 2,227 (22.4%) were young people aged between 12 and 24 years.

By comparison Fairfield City has a very low level of skilled migration – 556 during this same period.<sup>1</sup>

During this period, the vast majority of people arriving have been 202 visa holders from Iraq and Syria affected by war and terrorist activity - predominantly Assyrians, and Chaldeans and to a lesser degree Mandaean and Armenians. These persecuted ethnic and religious minorities already comprise a significant component of Fairfield City's existing population. For example, according to the 2011 Census - Assyrian/Aramaic is the second highest language other than English spoken in Fairfield LGA (10,729 speakers), followed by Arabic (8,816 speakers). We support family reunion and the option of sponsoring family members. We point this out to

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<sup>1</sup> Department of Social Service (DSS) Settlement Reporting Facility (SRF) accessed 06/02/17

highlight the additional pressure for many residents who have taken on the responsibility of providing settlement support to their loved ones while oftentimes still in the process of settling themselves.

In terms of refugee and humanitarian settlement and social services, Fairfield City has multiple and complex needs. While local services are experientially very well equipped to meet the needs of new arrivals they are not always well resourced to do so.

The City does not receive additional developer funds under section 94 provisions for humanitarian and refugee settlement; meaning that resources for infrastructure development and improvement in recognition of the large number of new arrivals settling in the area does not occurring.

This submission will focus on the particular challenges and priorities of the refugee and humanitarian arrivals settling in Fairfield given their high numbers and inherent vulnerability.

This submission also includes a brief data analysis of some key socio economic indicators within Fairfield City that play a role in the settlement of humanitarian and refugee entrants to the City.

### **3 INCOME LEVELS IN FAIRFIELD LGA**

The gap in incomes between Fairfield LGA and the rest of NSW and Australia has continued to grow over many years. In the 2011 Census, the median individual income in Fairfield LGA was \$369, while it was \$619 in the Sydney Metropolitan Area, \$561 in NSW and \$577 in Australia.

Census data from 2006 and 2011, shows the income levels in the Fairfield LGA have been increasing at a slower rate than income levels in other parts of Sydney, NSW and Australia. The gap between the income in the Fairfield LGA and all other areas has been increasing over time, resulting in the Fairfield LGA becoming relatively poorer than other areas.

The low level of incomes experienced in Fairfield is more likely to result in a higher need for support to pay for essential household utilities, health, food and educational costs. Programs provided or funded by the Department of Social Services are in high demand in the Fairfield LGA and critical to a large proportion of children, young people, people with disabilities and older people.

In addition to low incomes, Fairfield LGA has a significant level of residents who are dependent on income support from the Commonwealth. In Fairfield LGA, 7.0% of the population report needing help in their day-to-day lives due to disability. In 2006, approximately 40% of children were living in low income or welfare dependant households.<sup>2</sup>

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<sup>2</sup> Public Health Social Atlas

## **4 HOUSING STRESS**

Household size is larger in the Fairfield LGA than other parts of Sydney. This means that the household income must support more people than in other parts of Sydney resulting in a lower income per person than experienced in other low income households.

In 2013, 33.8% of households in the Fairfield LGA received rent assistance compared to 16.1% of private renters in Greater Sydney. This is the highest rate in the Sydney Region and only two other LGAs in NSW have higher rates. This high level of support for people in the private rental market is supplemented by 7.4% of rented premises in the Fairfield LGA being public housing compared to only 4.5% across Sydney in 2011.

Approximately 40% of people renting in the Fairfield LGA are supported through the provision of public housing or through rent assistance. In addition, 39.8% of low income households experience housing stress compared to only 24.7% of low income renters across Sydney. Mortgage stress is experienced by 24.2% of low income households compared to only 11.2% of these households across Sydney.

In 2013, couples with children comprised 16.3% of households with low incomes compared to 5.9% of low income household across NSW. Single parent families account for 18.9% of low income households in the Fairfield LGA compared to 12.6% in NSW. Overall, 45.25% of children and young people in the Fairfield LGA belonged to low income welfare dependent families compared to 20.5% of children in the Greater Sydney Region.<sup>3</sup>

Fairfield LGA is typical of areas experiencing a high level of disadvantage in that the residents also have poor health outcomes. The cultural background, migration history and language proficiency of many residents also results in difficulties for many people to successfully navigate social service and health systems to acquire appropriate services and health treatment when necessary.

## **5 THE MIX, COORDINATION AND EXTENT OF SETTLEMENT SERVICES AVAILABLE AND THE EFFECTIVENESS OF THESE SERVICES IN PROMOTING BETTER SETTLEMENT OUTCOMES FOR MIGRANTS**

It is often stated that Australia provides amongst the best resettlement services for refugees internationally. This reputation is well deserved and the appointment of a NSW Coordinator General for Refugee Resettlement in 2015 was a welcome complement to existing settlement initiatives. Changes in 2014 however to Commonwealth Community Services Department of Social Services (DSS) tendering processes have in some instances compromised the mix, coordination and effectiveness of settlement services operating in Fairfield City and beyond.

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<sup>3</sup> Public Health Social Atlas

There was little consultation or information readily available in the lead up to these changes which greatly impacted stakeholders in Fairfield City in relation to the Humanitarian Settlement Services (HSS) and Settlement Services Program (SSP).

Throughout the Sydney Metropolitan area, the Humanitarian Settlement Services (HSS) program is delivered by Settlement Service International (SSI). This includes basic assistance for new arrivals, such as airport pick up and food packages, assistance with accommodation and case management and support aimed at developing independence and assisting integration into the community.

The majority of Settlement Service Provider (SSP) funded organisations operating in and around Fairfield City form part of the SSI consortium. This includes CORE Community Services, Multicultural Communities; Greater Lakes Community Great Lakes Agency for Peace and Development International - GLAPD Int. Ltd. and the Khmer Community of NSW Inc.. These organisations are funded to support humanitarian entrants and other eligible migrants during their first five years of life in Australia.

The Assyrian Australian Association (AAA) through the Assyrian Resource Centre (ARC) is the only independent SSP agency located in Fairfield City, meaning that they are directly funded by the DSS and not an SSI consortium partner.

Dozens of generalist community services and neighbourhood centres located within Fairfield City provide additional casework, referral and community development support to refugee and humanitarian entrants despite not being directly funded to do so, simply due to the demographics of the local government area population.

In addition, Fairfield City hosts dozens of unfunded associations, unincorporated associations (many ethno specific in nature) and religious organisations that actively support the settlement of newly arrived refugees and humanitarian entrants. These agencies have strong and mature social capital. There is a well-developed sense of volunteerism, comprising in many instances of bilingual and bicultural workers, negating the requirement for interpreting and translating services. These agencies are part of the very fabric of local refugee and humanitarian entrant communities and structures. The result of this is intuitive access by these ethno specific services to the community and the community intuitively know how to access the supports ethno specific agencies offer.

Despite the effectiveness and value for money that these smaller ethno specific and local agencies provide, they are not competitive contenders for Commonwealth funding to provide settlement services under existing policies and trends. Currently Commonwealth tendering favours large organisations and consortiums that cover larger areas than was previously the case. There is a strong emphasis on 'service delivery' rather than development of communities, 'community support' and medium to long terms settlement outcomes. Effectively, a commodification of settlement services has been the result.

These changes have exacerbated an already precariously balanced sector which overwhelmingly agrees that assuming a person will be well settled and integrated

within a five year period is unrealistic, and the overall amount of funding available to support this process is inadequate.

Some of the consequences of these changes for the settlement services landscape in Fairfield include:

Minimal independence between the current Sydney Metro HSS provider and the vast majority of SSP providers. This represents an 'efficiency' and cost saving to government as reporting and other processes are streamlined; it means government no longer is required to manage legal and governance challenges typically associated with smaller and ethno specific services. Conversely, the set-up has also removed a previous check and balance system that organically ensured service gaps or oversights by other agencies delivering settlement services were brought to attention and ideally addressed. Now HSS and SSP service providers are firmly intertwined and share financial interest in terms of funding. SSP organisations pay an administration fee to be part of the SSI consortium which acts as an auspice on their behalf. Managers of Migrant Resource Centres (MRC's) may also be a paid board members for SSI. Within the SSP guidelines, these same SSP funded organisations are expected to "promote access and equity by playing a brokerage and advocacy role with Government agencies on behalf of new communities."<sup>4</sup> This may not occur if the advocacy required involves presenting a differing view to that of the lead consortium partner or bringing attention flaws in the provision of services being provided.

Currently official referrals by the HSS provider are only being made to local services that comprise the SSI consortium despite the overwhelming number of new arrivals having cultural ties to the Assyrian Resource Centre.

Large, out of area services funded to work in the settlement space in the Fairfield City area generally rely on established local organisations and Fairfield Council to broker access to communities and local community services. A typical example of this would be the *Youth Transitions Pilot Support Program* where the DSS used discretion under their changes to tendering processes to directly allocate millions of dollars to the Lebanese Muslim Association (LMA). The Lakemba based LMA was required to build service provider networks and community rapport to deliver services to refugee and other vulnerable migrant youth groups without an existing footprint in the Fairfield area within in a limited amount of time. It is reasonable to say that service delivery outcomes were not optimal given these conditions.

Lack of diversity, in terms of *funded* services available for refugee and humanitarian entrant communities in Fairfield City means diminishing choice of services available under the HSS and SSP.

In addition, the trend by Families and Community Services (FACS) to away from community building and community development approaches in preference for case work and targeted early intervention for individual young people has resulted in a deskilling of the youth sector. The capacity of the youth sector to identify and

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<sup>4</sup> Department of Social Services, Key Settlement Service Policy Principals:  
[https://www.dss.gov.au/sites/default/files/documents/06\\_2014/service-type-overview.pdf](https://www.dss.gov.au/sites/default/files/documents/06_2014/service-type-overview.pdf)

address complex issues collectively has been reduced, advocacy has been diminished, social and recreational engagement activities which traditionally provided a soft entry point to a range of service options have declined significantly.

**Recommendation:** That the Commonwealth commission an independent study into the value of small and ethno specific services in terms of migrant, refugee and humanitarian resettlement.

**Recommendation:** That the Commonwealth consider policy changes that make small and ethno specific organisations more competitive in its tendering processes for settlement related programming.<sup>5</sup>

**Recommendation:** That the Commonwealth conduct an audit to determine what level of resourcing is being directed to the locations and service providers where refugee and humanitarian entrants are being resettled in high numbers.

## 6 NATIONAL AND INTERNATIONAL BEST PRACTICE STRATEGIES FOR IMPROVING MIGRANT SETTLEMENT OUTCOMES AND PROSPECTS

Fairfield City Council recently attended the Refugee Council of Australia's *Refugee Alternatives Conference* (February 22 and 23, 2017) where a representative from the Canadian Ministry of Settlement spoke about current policy and program initiatives. The notable factor from the presentation was the steadfast commitment by the Canadian Government to welcome 25, 000 Syrian refugees within a few short months. This culture of acknowledging the genuine need and leading the broader community to welcome the war afflicted people was taken up by the public and the media.

The Canadian representative spoke of the expectation that all refugees would receive Canadian Citizenship and that all efforts would be made to support this process. A welcoming and supportive attitude seems to be consistently embedded throughout their policies and processes. The option exists (and is taken up by many) for community members to financially sponsor refugees and take a central role in orienting them and providing settlement support. More information can be viewed at the Canadian Ministry of Settlement official website.<sup>6</sup>

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<sup>5</sup> See Fairfield City Council submission to the Senate Community Affairs Reference Committee on The Impact on Service Quality, Efficiency and Sustainability of Recent Commonwealth Community Service Tendering Processes by the Department of Social Services

<sup>6</sup> <http://www.cic.gc.ca/english/refugees/index.asp>



## **7 THE IMPORTANCE OF ENGLISH LANGUAGE ABILITY ON A MIGRANT'S, OR PROSPECTIVE MIGRANT'S SETTLEMENT OUTCOME**

English language doesn't and shouldn't have any bearing on determining whether to grant a prospective refugee or humanitarian visa applicant entry to Australia. Unlike migrant groups who voluntarily leave their country of origin for another nation state, a refugee is defined as a person who has 'fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order.'<sup>7</sup>

Refugee or humanitarian entrant communities have a smoother transition and greater capacity to actively participate in social, civic and economic activities once they acquire a functional level of English language proficiency. English language learning should be encouraged and promoted. The refugee journey will almost certainly expose a person to traumatic experiences which can lead to post traumatic stress disorder (PTSD). PTSD includes hyper-arousal symptoms such as sleeping, memory and concentration problems, startle responses, and irritability<sup>8</sup>, all of which compromise a person's ability to acquire and retain English language.

As such, Fairfield Council welcomes the changes to the 2016/2017 Adult Migrant English Program (AMEP) which amongst other things makes an additional 490 hours of available for refugee and humanitarian entrants who have not reached functional English after completing their legislative entitlement of 510 hours.

Classroom based learning will not always be the most appropriate means of English language learning for former refugees; particularly those who have travelled to Australia from rural settings or situations that have made it impossible to acquire literacy in first language. This was the case for many members of the South Sudanese community for example, who arrived to Fairfield in large numbers in the early to mid 2000's after having spent protracted periods in war and subsequently in refugee camps.

Young people from a refugee background have often been exposed to war and conflict circumstances. After having fled these situations they can spend protracted periods in multiple transit countries and/or refugee camps. Leaving an active conflict situation does not mean an immediate end to danger as host countries and camps often present other challenges to safety and wellbeing. Such experiences can lead to trauma, cultural dislocation and social fragmentation.

These challenges can be exacerbated by experiences of settlement in the new host country, which include learning a new language, accessing education, training and employment, straddling multiple cultures and renegotiating changing family dynamics as young people are more quickly able to acquire English language skills and navigate local systems than their parents or caregivers. English language is required

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<sup>7</sup> UNHCR: Cartagena Declaration on Refugees <http://www.unhcr.org/en-au/about-us/background/45dc19084/cartagena-declaration-refugees-adopted-colloquium-international-protection.html>

<sup>8</sup> STARTTS: Working with Refugees a Social Workers Guide, 2001

for young people to interact more fluidly with their peers and begin developing self-confidence, a sense of belonging and a positive self-identity.

Newly Arrived refugee young people are given a maximum of 4-5 terms to undergo the Intensive English Centre (IEC) course to assist them with their English language (approximately 1500 hours that cover all aspects of education, including Math, Science etc.). Language learning in terms of hours may vary from one person to another and 4-5 terms in an IEC will not equip a young person with language skills that equal their Australian born peers. With the introduction of additional resourcing to the education sector, some of this resourcing should be directed to ensuring a smoother transition into mainstream schooling.

With the current influx of refugee and humanitarian entrants settling in Fairfield from Iraq and Syria, Fairfield City based IEC's no longer have capacity to accept young people. Many families are distressed by the prospect of sending their children to IEC's outside of the LGA. Service providers are reporting struggles communicating to families that both of the local IEC's are beyond capacity and that they will need to make alternative arrangements. Fairfield City with its existing high population of different Iraqi and Syrian religious and culture groups represents a safety net to members of these same communities. Fairfield Council has been asked to provide a bus service travelling from Fairfield suburb to Holroyd IEC which is the only school with vacancies at this stage.

There are limited options available for English language learning for refugee and humanitarian youths 17 years and above. Direct entry to TAFE courses/programs can be too advanced and fast-paced for former refugee young people with limited English language skills. Those beyond the age requirement to attend either of the local IEC's have Navitas classes or a commute to Bankstown Seniors College as remaining options. Young people are reluctant to attend English classes at Navitas which is viewed as the place where 'old people go to learn English'. Navitas has responded well by developing youth specific classes which service providers are encouraging young people to attend.

Many youths and their parents are reluctant for them to travel to Bankstown when they are still unfamiliar with transportation. This has been an ongoing challenge for young people from a refugee background in Fairfield years and means that there is a greater chance of them falling further behind in English language learning, and educational attainment generally. Currently, there is the additional complexity that the people arriving to Fairfield City predominantly represent persecuted religious and cultural minorities who are disinclined to send young people into unfamiliar areas with dominant Muslim populations.

**Recommendation:** That the Commonwealth recognise that additional supports in terms of community education and transportation subsidies may be necessary when IEC's local to refugee and humanitarian entrant communities are beyond capacity.

**Recommendation:** That a seniors college be established in the Fairfield City area to improve access and equity for young people from a refugee background to English language learning.

**Recommendation:** That the Commonwealth make provisions for community based, longer term English language learning opportunities for those who are unlikely to respond well to traditional classroom settings. Programs that allow refugee and humanitarian entrants to English language learning while working or carrying out training would be ideal.

## **8 WHETHER CURRENT MIGRATION PROCESSES ADEQUATELY ASSESS A PROSPECTIVE MIGRANT'S SETTLEMENT PROSPECTS**

Obtaining adequate and fulfilling employment is one of the key indicators and requirements of successful resettlement.

The current migration system assumes that people travelling to Australia as a refugee or humanitarian entrant have little to no prior skills or qualifications. This is rarely the case. Greater attention should be paid to people's life situations prior to them becoming a refugee so that they can be settled more effectively and greater use of their skills and knowledge can be made.

The Refugee Council of Australia 2010 *What Works - employment strategies for refugee and humanitarian entrants* report speaks in detail of the significant potential and equally significant challenges experienced by Humanitarian and Refugee entrants:

*"Statistics from the Department of Immigration's Longitudinal Survey of Immigrants to Australia (LSIA)<sup>5</sup> showed humanitarian migrants from 1999-2000 to be the worst off of the migrant visa groups, with 12% unemployed 18 months after arrival, compared to 8% in the preferential family or family stream. It is interesting to note that unemployment rates dropped over time for all migrant categories except humanitarian migrants, which in fact rose by 1% (11% after six months to 12% after 18 months), suggesting significant barriers experienced are not decreasing over time (Richardson et al 2004:12)."*

There are a number of factors that influence longer term unemployment and underemployment amongst former refugee groups. This includes the lack of a tailored employment service for people from a refugee background, lack of a NSW state body that recognises overseas qualifications and the political and media discourse that frequently characterises people from a refugee background as a homogenous group who have little to offer in terms of qualifications and skills to make them valuable to the broader society.

Related to this is a lack of information made readily available by Federal and State Government in relation to demographic profiling of communities prior to their arrival. Services are constantly in a position of reactivity and attempting to fill service gaps as they occur. We recognise that refugee and humanitarian entrants are granted a permanent visa which means that they are able to ultimately settle where they choose. We also recognise that there is a tendency towards secondary movement and that the privacy of individuals must be respected, however information provision by the state and federal government that is accurate at the time it is provided will

make some inroads for service providers and local government to be able to better plan and provide support that enables people from a refugee background to realise their greatest potential.

**Recommendation:** That the Commonwealth provide basic information ahead of time in relation to the number of refugee and humanitarian visas granted so that service providers are able to better plan for their arrival and integration into the community.

## **9 SOCIAL ENGAGEMENT OF YOUTH MIGRANTS, INCLUDING INVOLVEMENT OF YOUTH MIGRANTS IN ANTI-SOCIAL BEHAVIOR SUCH AS GANG ACTIVITY, AND THE ADEQUACY OF THE MIGRATION ACT 1958 CHARACTER TEST PROVISIONS AS A MEANS TO ADDRESS ISSUES ARISING FROM THIS BEHAVIOR**

According to the DSS Settlement Reporting Facility between 01 January 2016 and 04 January 2017, 2089 young people under the age of 24 years arrived to Fairfield City as part of the humanitarian program. Of this group 93% of young people came from Iraq (1282) or Syria (658). As mentioned previously, these communities already comprise a significant portion of the overall former refugee and migrant population of Fairfield City.

The NSW Police Force acknowledges a history of organised crime groups in the Fairfield LGA. These are ethnic based groups that continually seek young people to increase their numbers and activities. Fairfield Local Area Command (LAC) and local service providers are concerned about the increasing trend in the recruitment of refugee and CALD youth into organised criminal activities and gangs.<sup>9</sup>

Newly arrived migrant and refugee youth are particularly vulnerable to being drawn into anti-social or criminal activities due to a number of factors. They are separated from extended family and friends and are attempting to rebuild new social networks and create a sense of belonging.

Family roles are often dramatically altered. Young people may assume the role of interpreters for the family as they acquire language at a faster rate; past experiences of trauma can compromise parents' ability to find work and traumatised parents may be less able to emotionally support their children. Similarly, youth from a refugee background are likely to be dealing with trauma symptoms which can increase their vulnerability to negative influences while they are negotiating a new culture, systems and language.<sup>10</sup>

This is complicated by language barriers as young people are still in the process of learning English and tend to gravitate towards groups that speak their language.

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<sup>9</sup> Please see attachment Fairfield Settlement Symposium 2016 'Safety and Crime Prevention' mini issue paper prepared by NSW Police as members of the Fairfield Settlement Action Plan Working Group.

<sup>10</sup> See STARTTS' Working with Refugees a Social Workers Guide, 2001 for further detail about the challenges of refugee young people and families.

Many of the refugee and CALD communities arriving to Fairfield are from well-established collectivist cultures. The desire to be part of a larger group or community can be strong, especially while the family unit is under the sustained pressure of the refugee journey and stressors of settlement in a new and unfamiliar culture.

Recommencing education in a new language and unfamiliar setting after extended periods of disruption during the refugee process can be frustrating. Children and young people are placed according to their age rather than level of educational attainment and language proficiency. This can exacerbate the sense of former refugee youth feeling like 'the other' and erode an already vulnerable sense of self confidence. These factors can lead to truancy and an increase the likelihood of newly arrived youth coming into contact with gangs. Gang members who may share cultural and/or language ties with newly arrived youth can represent a sense of familiarity and acceptance that school does not.

Many newly arrived refugees prefer to live close to their family members, community or sponsors. Service providers report newly arrived families are living with the sponsor family in overcrowded conditions for much longer periods than anticipated. This is due to a lack of secure, stable and affordable housing in Fairfield resulting from high demand and limited availability. Young people and men are reported as spending more time in public places without a form of recreation or diversion as a means of avoiding being in the overcrowded home for more time than absolutely necessary. Alternatively, some new arrivals are spending a large proportion of their income on housing, which creates financial stress.

Service providers report that many older youth are looking for work to contribute to their family finances. However other factors are posing a barrier to their ability to access work, exacerbating their vulnerability and risk of being lured into gangs. As mentioned there is no Seniors College located in Fairfield City, TAFE courses may be too fast paced and require a level of English that newly arrived youth are yet to attain. The Job Active system is ill equipped to meet the more complex demands of refugee and migrant job seekers, particularly young people and there is the ever challenging preference of employers for staff with local work experience and recognised qualifications.

These young people report feeling lost in a new environment and finding people who speak their language and promise to show them 'the ropes' can be a soft entry into gangs.

*The Migration Act 1958 character test* sets out provisions for a 'non-citizen' inclusive of temporary and permanent residents to have their visa cancelled or a visa application refused if they are found not to be of reputable character. You will not pass the character test if you have a "substantial criminal record"; have an association with an individual, group or organisation which is suspected of being involved in criminal conduct; are not of good character having regard to your past and present criminal or general conduct or are at significant risk of engaging in future, unacceptable conduct.

A person is considered to have a substantial criminal record if they have been sentenced to a period of imprisonment of 12 months or more; sentenced to a number

of shorter periods of imprisonment (at the same time or at different times) that add up to 2 years or more; or found not guilty due to mental illness and detained.

According to Legal Aid NSW, when calculating a “period of imprisonment”, this can include *‘parole periods, suspended sentences, time spent in periodic detention, or time spent in drug rehabilitation or mental health facilities if they were ordered as a sentence by a court. Sentences received for juvenile offences can also be included.’*<sup>11</sup>

This legislation enacted to promote a safe and harmonious society for all Australians can inadvertently represent difficulties for former refugee and humanitarian youth. As discussed above, this cohort, can be at a higher risk of antisocial behaviors and or engagement with gangs and criminal activity if the right supports, social programs, early intervention and diversional activities are not provided.

Fairfield Local Area Command, Fairfield based service providers and Fairfield City Council all agree that social engagement of youth, early intervention and diversional programing are a more effective means of promoting integration and social cohesion than punitive measures such as visa cancellations.

**Recommendation:** That additional resourcing be allocated to high settlement areas such as Fairfield City, specifically for former refugee youth focused social activities, early intervention and diversional programing. The design of such a model should take place in consultation with the community and service providers who will utilise and implement such activities.

**Recommendation:** That former refugee youth programs should be delivered by local service providers with a demonstrated record of working effectively with a broad cross section of former refugee youth, or service providers with a demonstrated record of working effectively with a broad cross section of former refugee youth and some tangible connection to the area where the former refugee communities are based.

**Recommendation:** That any funding allocated for former refugee youth social, early intervention and/or diversional activities should be delivered by secular agencies.

## 10 CONCLUSION

The Australian Migration Program inclusive of the Humanitarian and Refugee Program is a good practice model. Strong leadership at a Commonwealth level and continual review will ensure that migrants and refugees settling in Australia are provided with the greatest opportunity to integrate into and contribute to wider society. Particular attention should be paid to any systemic challenges that may impede this process. Youth require additional, tailored supports in the areas of social, recreational and diversional activities to dissuade them from being drawn into criminal activity or engaging in antisocial behaviors. Any access and equity

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<sup>11</sup> <http://www.legalaid.nsw.gov.au/publications/factsheets-and-resources/visa-cancellation-kit/1.-introduction>

challenges to education, training and employment opportunities should be addressed to ensure future generations are able to be active members of social, civic and economic life in Australia.

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