



## **Additional information requested by Joint Standing Committee on Migration**

### **Migrant Settlement Outcomes**

**Tuesday 4<sup>th</sup> April 2017, Sydney**

#### **1. Visa categories who are eligible/ineligible for settlement services**

##### **Eligible for settlement services:**

All refugee and humanitarian visas are eligible for the Humanitarian Settlement Services program for up to 6 -12 months after arrival, with possibility of extension if there is a demonstrated need. (This time limit is currently being revised as part of the design of the new Humanitarian Settlement Program which is currently being tendered and is due to commence on 1<sup>st</sup> July 2017)

In addition, refugee and humanitarian visa holders, some permanent family migrants and selected temporary migrants are eligible for the Settlement Services Program in the first five years after arrival. These eligible migrants and refugees include:

*“To ensure Settlement Grants components are directed to those most in need, services are directed to those permanent residents who have arrived in Australia in the last five years as:*

- *humanitarian entrants*
- *family stream migrants with low English proficiency, and*
- *dependents of skilled migrants in rural and regional areas with low English proficiency.*

*“Also included in the target group are:*

- *selected temporary residents (Prospective Marriage, Provisional Partner, visa holders and their dependents) in rural and regional areas who have arrived in the last five years and who have low English proficiency, and*
- *newly arrived communities which require assistance to develop their capacity to organise, plan and advocate for services to meet their own needs and which are still receiving significant numbers of new arrivals.*

Source: DSS website <https://www.dss.gov.au/grants/grant-programmes/settlement-services>

### **Ineligible for settlement services:**

Eligibility for the Humanitarian Settlement Services program and the Settlement Services Program excludes the vast majority (>85%) of permanent and temporary migrant visa holders, arriving in Australia including:

- All permanent skilled migrants
- All dependents of skilled migrants (except those who live in rural and regional areas and who also have low English proficiency)
- All family stream migrants who have better than “low” English proficiency
- All temporary residents (except those in the selected temporary residents visas listed above, who are also in rural and regional areas plus have low English proficiency)
- All migrants and refugees otherwise eligible, but who arrived in Australia more than five years ago.

## **2. Provisional partner visa eligibility as an example**

A person resident overseas, who is married or in a de facto permanent relationship with an Australian citizen or permanent resident, is eligible to apply for a Provisional Partner Temporary Visa. This temporary visa is granted for two years, after which time the partner is able to apply for Permanent Residency under the Family migration stream.

The “Provisional Partner” visa name reflects that the DIPB wants to be satisfied that the marriage or relationship is permanent and bona fide, and so grants a temporary visa for two years, before the prospective partner is eligible to apply for a permanent residency visa.

During the two years of the Temporary Visa, the provisional partner is not eligible for Settlement Services, unless they live in a rural or regional area, plus have low English proficiency.

Under the two year Temporary visa the provisional partner is also not eligible for Centrelink income support, and the sponsoring Australian resident partner is required to financially support the provisional partner if necessary during this time. DSS has a provision for provisional partners on temporary visas to be eligible for income support in exceptional circumstances, where the visa holder is the victim of Domestic Violence by their sponsoring partner. In these same circumstances, SSI understands that the provisional spouse who is a victim of DV is still not eligible for Settlement Services.

## **3. Recommendation for settlement services eligibility in exceptional circumstances**

SSI’s recommendation to the Committee is that for skilled and family stream migrants currently not eligible for settlement services, there be provision for them to be eligible in exceptional circumstances. Exceptional circumstances could include a major change to an individual migrant’s circumstances which:

- has caused the individual and any dependents major hardship;
- is unforeseen and beyond their control;
- means that they are no longer able to access necessary income, employment, and resources;
- means that they require settlement support to be able to address their new circumstances.

A prospective spouse on a temporary visa who is a victim of DV by their spouse would be covered by such a provision.

A provision for eligibility in exceptional circumstances should extend to migrants and refugees who arrived in Australia more than five years ago, and have a demonstrated significant need for settlement support beyond that period.

The rationale for this proposed provision is straight forward, that settlement services for migrants and refugees in the above exceptional circumstances will support and enable them to access the employment, income and support they require to settle successfully, be financially independent and productive. DSS currently has exceptional circumstances eligibility provisions in place for its general Centrelink income support payments for permanent residents.

This provision will also address the current situation where migrants ineligible for, but requiring settlement support, attempt to engage with government and non-government agencies, which consumes service provider time and resources.