



Southern  
Migrant & Refugee  
Centre

# SOUTHERN MIGRANT AND REFUGEE CENTRE

Submission

Joint Standing Committee on Migration  
Inquiry into Migrant Settlement Outcomes

January 2017

## Submission

### Joint Standing Committee on Migration Inquiry into Migrant Settlement Outcomes

#### Introduction

Southern Migrant and Refugee Centre has been a provider of Settlement Services and a range of other services to migrant and refugee communities in South East Victoria for 23 years. We work solely, as well as collaboratively with a range of organisations, in supporting new arrivals in their settlement, providing one on one support, group based programs and community strengthening activities designed to facilitate successful settlement.

Before considering the Inquiry's terms of reference we feel it is important to point to the overwhelmingly positive impact on Australian society of migrants and refugees whose contribution can be seen culturally, socially and economically. As new arrivals settle, it is crucial that they receive support in order to access services, acquire English, place children in schools and look for work. And as new arrivals undertake their settlement, it is also important that they are introduced to aspects of Australian life – the primacy of law, the respective roles of our many institutions, equality and our parliamentary democracy.

It should also be acknowledged that Australian settlement services are regarded internationally as a model for settlement services globally. Of course, it is always appropriate that programs are reviewed for effectiveness and to seek opportunities for improvements.

Finally, before we address the terms of reference, we urge the Committee to be very mindful of the distinctions between migrants and refugees, their pre-arrival experiences, the circumstances under which they come to Australia and their highly variable needs once they have arrived in Australia.

#### The Terms of Reference

As we have already stated, we fully support the review of government programs as a means of making them better. That said, it is our view that the Terms of Reference are very narrow and are couched in terms of giving **“particular consideration to 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.”** We share concerns about this behavior but we are equally concerned at the apparent conflating of this serious problem with a view that settlement services are ineffective and causes us concern that any outcomes will be meaningless because there is a very real risk that the Committee does not have the scope to forensically examine migrant and refugee settlement. We urge the Committee to exercise caution if it is considering a radical overhaul of settlement services and indeed our migration (and humanitarian) programs in a misconstrued response to a perceived "crime" issue.

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**1. “The mix, co-ordination and extent of settlement services available and the effectiveness of these services in promoting better settlement outcomes for migrants”**

One of the most significant barriers in delivering settlement services is the limiting effect of the “five year” rule. That is, under funding agreements, settlement services must cease their support to anyone who has been resident in Australia for more than five years whereby it is expected that those here for more than five years will be accessing mainstream services if in need of support. The “five year” rule has been in place for more than 10 years yet fails to acknowledge the varying capacities of individuals to settle successfully (particularly refugees, many of whom struggle to cope with severe pre-arrival trauma). The other concern with the “five year” rule is that it presupposes the existence of generalised mainstream services. Amongst a range of services, we are able to offer a "drop in" service 4 days per week whereby we are able to provide information, referral and advocacy on a broad range of issues as well as serving as an entry point for a range of other settlements services within SMRC – this type of service delivery within mainstream services has all but disappeared as funding agreements are increasingly focused on highly structured case management approaches to service delivery. Further compounding this situation has been the reduction of family relationship and support funding specifically targeting migrant and refugee families three years ago, leading to a reduced capacity to provide intensive support to those newly arrived families experiencing very real settlement difficulty.

We would argue that the funding for settlement services has been well targeted in the past, with funding to help specific communities declining over time as those community members integrate successfully into mainstream Australia, thus freeing up funds to address the needs of more recently arrived groups.

We believe that the removal of settlement funding from the Immigration portfolio and the creation of a new Department of Social Services is already leading to a culture of “service integration” rather than “compliance” and has the potential to open up greater flexibility in the potential allocation of funding to a broader range of services. As we move deeper into the 21<sup>st</sup> Century, funding could become more adaptive, flexible and not constrained by old established models of service provision. And the signs are already promising.

Finally, we should also be careful about placing the entire responsibility for settlement on to a single funding stream but rather view settlement much more broadly. **Collaborations across service sectors (and hence levels of government and portfolios) is absolutely vital to ensure successful settlement.** Settlement is not just the responsibility of the Department of Social Services and its agencies, but also the Departments of Health and Aged Care, Education and Training, Human Services, Employment as well as State and local governments. This goes even further and should include collaborations with business to open up employment opportunities.

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**2. "National and international best practice strategies for improving migrant settlement outcomes and prospects."**

It's disappointing that the Inquiry's terms of reference do not seem to acknowledge the international reputation of Australia's settlement services, from the Humanitarian Settlement Service to Settlement Grants to Complex Case Support. Of course, there is always room for improvement.

Flexibility in service delivery and service delivery models should always be encouraged. We are able to deliver a range of settlement. Currently, we are able to deliver the following services under Settlement Grants:

- A 'drop-in' casework service;
- A youth support service and a youth engagement service;
- A homework support program;
- A school holiday program;
- An employment and education pathways service
- A program to support new and emerging communities (including offering co-location opportunities for some new emerging communities);
- A Driver Education program
- Information sessions
- Group capacity building activities

We are then able to link these services with other internal services using alternative funding sources including:

- Family support
- Complex case support
- Aged care programs
- Disability initial needs identification and referral
- English conversation groups
- Computer classes
- Ethno-specific community organisation capacity building, mentoring and support activities

We collaborate with the health sector, youth services agencies, family support agencies, schools (including English language schools), Adult Migrant English Program (AMEP) providers, the Humanitarian Settlement Services (HSS) provider as well as local governments and state government departments.

Settlement services are only one aspect of the entirety of services which need to be drawn upon to support a new arrival in their settlement (see above comments concerning collaborations across sectors).

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#### 3. “The importance of English language ability on a migrant’s, or prospective migrant’s settlement outcome”.

We couldn’t agree more! But in saying this we wish to make some program distinctions and point to undesirable (and perhaps unintended) outcomes of policy decisions which very much act against achieving this outcome.

It is crucial we distinguish between the migration program (and especially the skilled migration component) and the humanitarian program. Under skilled migration, English is crucial to obtaining employment commensurate with a new arrival’s skill set. Nevertheless, different occupations will require different levels of English language competency and we see an argument for introducing greater flexibility in English language requirements depending on the likely future occupation of an entrant. Under Family Migration Streams, English should not be a pre-condition of visa grant, nor should it be under the humanitarian program.

Under the humanitarian program, new arrivals are eligible for free English language tuition. However, with the introduction three years ago of tighter activity testing for continuing eligibility for payments of Newstart Allowance, new arrivals are required to look for work within 13 weeks of their arrival but with minimal to no English. Employers will generally not employ a person who has no English (for occupation health and safety reasons), the new arrival loses valuable English language tuition time for fear of losing their payment and often ends up discouraged and confused by a requirement which is essentially an exercise in futility. This in turn can impact severely on pre-existing trauma.

It is our suggestion that the acquisition of English be a priority in the first 12 months of arrival and that rather than impose futile activity testing demands on a new arrival, make it a condition of receipt of Centrelink payments that a new arrival is attending classes.

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#### **4. "Whether current migration processes adequately assess a prospective migrant's settlement prospects."**

We would urge caution in giving weight to a separate assessment criterion such as "settlement prospects" in determining a person's eligibility for a visa to live permanently. We feel that under the migration program, existing assessment criteria are more than adequate to assess a person's eligibility for visa grant and likely settlement prospects. Under the humanitarian program, the primary focus should be on a person meeting the Convention definition of a refugee or in the case of special humanitarian visa applications, the degree to which a person has a connection to Australia as well as the degree to which they have suffered persecution.

We are mindful that settlement for some groups has been more of a struggle than other groups and indeed this may be reflected in the Inquiry's focus on issues surrounding the anti-social behaviour of some young people. We will offer some views on this below as we feel that the issue of anti-social behaviour should not be confused with the effectiveness of Australia's settlement services.

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**5. Concerns about the behaviour of some refugee young people/unintended consequences.**

There are quite understandable concerns being expressed about the unacceptable violent behaviour of some refugee young people, particularly in Melbourne, and we share those concerns. There are a number of points we would make about this:

- First, whilst there has been a threefold increase in arrests of young people, police point out that this does not point to an increase in the numbers of offenders, but rather repeat offenders (Victorian Deputy Commissioner of Police, Andrew Crisp);
- This points to, not a large number of disconnected and disaffected young people, but rather a hard core;
- Evidence suggests that there has been African (and predominantly South Sudanese) young people and Pacific Islander young people involved in this behaviour – this needs to be objectively analysed and addressed.

Settlement is a life process and not simply the sole responsibility of funded settlement agencies (although clearly, funded agencies have contractual Key Performance Indicators to meet and consistently do). An arbitrary time period of 5 years has been deemed to be the amount of time that it takes a person to settle. However the practice wisdom of organisations working in the field would suggest that some will settle in that time frame whilst others will never successfully settle. Settlement is a "whole of community responsibility" and goes way beyond the contractual responsibilities of settlement agencies. Included in a family's settlement are:

- The Commonwealth Department of Human Services (Centrelink and Medicare)
- State Health Departments, primary health networks, community health centres, mental health services (including trauma specialists) and general practitioners
- State Education Departments (primary and secondary schools, including English Language Schools)
- English language providers (Adult Migrant English Program)
- Local Governments (Maternal and Child Health, youth services)
- Local welfare services
- Family support services
- Youth Groups (funded and unfunded)
- Sporting and cultural associations
- Churches, mosques and other religious organisations
- Ethno-specific organisations
- The police
- Local communities...

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And this list is by no means exhaustive, but which points to the very limited terms of reference. Settlement agencies engage with Commonwealth and State Departments, Local Government, health providers, voluntary organisations and a myriad of services providers in connecting new arrivals with a broad range of mainstream supports as new arrivals begin the process of integration into the community.

Settlement also needs to be considered in the broader social context. It is of immense encouragement that in those communities where settlement occurs, whether suburbs of our major cities or rural and regional towns, there is overwhelming local support for new arrivals. Yet in the broader sphere of the media commentarial and indeed the political sphere, there is often a constant stream of ill-informed negative stereotyping of migrants and refugees which actually does impact on individual migrants' and refugees' sense of well-being. This can lead to unintended consequences such as expressions of overt racism, policy decisions which actually discriminate between different groups of people, denial of service access to different groups, even in times of crisis (e.g. New Zealand citizens), denial of citizenship/refusal to consider citizenship applications from otherwise eligible people all seriously impact on an individual's sense of well-being and sense of being welcome in Australia.

#### **Suggestions for Consideration**

As we indicated in our introduction, it is always appropriate to review programs in order to improve them. The SMRC puts forward the following suggestions:

- Remove the "five year post arrival" rule pertaining to post-HSS settlement service delivery to new arrivals;
- Through targeted funding, encourage cross-sector collaboration;
- Reintroduce targeted funding for specialist settlement family relationship and support programs;
- Openly encourage and fund new and innovative service delivery projects.

**Despina Haralambopoulos**  
**SMRC**  
**Acting Chief Executive Officer**

30<sup>th</sup> January 2017