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Australian Government assistance to refugees: fact v fiction

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Introduction

In recent years, a series of emails have been widely circulated throughout Australia claiming to describe the social security entitlements of refugees, compared with those of other Australian residents. A common claim in these emails is that refugees in Australia receive higher social security benefits than age pensioners.¹ Some also suggest that refugees receive free gifts such as houses. Claims of this kind are erroneous and appear to have caused some confusion in the community. They are often brought to the attention of senators and members by their constituents.

This Background Note describes the current situation with regard to refugee entitlements to social security and other assistance in order to clarify this issue for senators and members.

Origins and veracity of the 'refugee emails'

A range of emails have been circulated in recent years that are critical of Australian Government assistance to refugees.² A common theme in such emails is the claim that refugees receive more generous social security entitlements than other Australian residents. This Background Note focuses on prominent recent example of such emails—those claiming that refugees in Australia receive substantially higher benefits than Australian age pensioners.

The information in the emails appears to have originated from emails that began to circulate in Canada in 2004.³ These were a response to a story in the *Toronto Star* in March 2004 about plans to settle hundreds of African refugees in smaller Canadian cities. The article had somewhat ambiguously described the amount of financial assistance that would be provided to the refugees by the Canadian Government. This led one reader to incorrectly assume that the refugees would be receiving benefits at twice the rate of Canadian age pensioners.

Based on this misunderstanding, the reader is thought to have then circulated an email condemning the level of benefits available to refugees in Canada, compared to that available

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1. For examples of the kinds of information contained in these emails, see http://www.aboutseniors.com.au/index.php/meeting_place/viewthread/302/; <http://au.messages.yahoo.com/news/politics/615075/>; <http://forum.craftmagazines.com.au/showthread.php?t=2172&page=174>; and <http://www.topix.com/forum/world/australia/TM0545U0G2M9E5PKO>
 2. Department of Immigration and Citizenship (DIAC), *DIAC refutes hoax email on asylum seeker policy*, media release, 14 October 2009, viewed 24 November 2009, http://www.newsroom.immi.gov.au/media_releases/750
 3. See N Keung, 'New refugee plan eyes small cities', *Toronto Star*, 11 March 2004; D Sellar, 'Can we dispel this urban myth', *Toronto Star*, 27 November 2004; 'Viral emails in Queensland 1, Media Watch, ABC website, viewed 24 November 2009, <http://www.abc.net.au/mediawatch/transcripts/s2191987.htm>; 'Refugee whiz', Snopes.com, viewed 24 November 2009, <http://www.snopes.com/politics/immigration/refugees.asp>.

to pensioners. The claims made in this email were subsequently published as a letter to the editor in the *Toronto Star* and circulated widely by email throughout Canada. The claims then began to appear in emails and letters to the editor in other countries such as the United States and Australia, with the names of those countries used in substitute for Canada.⁴

The important points to take from this are:

- the information in the emails is based on a misunderstanding of the support provided by the *Canadian* Government to refugees, and
- as a result, the assistance referred to in the emails is based on *Canadian* social security payments, rather than Australian payments.

On these grounds alone the information in the emails can be regarded as erroneous. In August 2007, the then Minister for Families, Community Services and Indigenous Affairs, Mal Brough, described the emails as ‘junk’ and urged people who receive them to ‘send them to the trash can’.⁵

Australia’s refugee and humanitarian program

Australia’s Immigration Program has two components:

- the Migration Program for skilled and family migrants, and
- the Humanitarian Program for refugees and others in refugee-like situations.

The Humanitarian program can be divided into offshore and onshore components. The onshore component applies to those already in Australia who make applications for a Protection visa (refugee status). These include people who arrived with a valid visa and who have been staying in the Australian community, and people who have arrived in Australia by sea or air without a valid visa—described by the Department of Immigration and Citizenship (DIAC) as ‘unauthorised arrivals’. Those found to be in need of protection are granted a permanent Protection visa, provided they meet health and character requirements.⁶ The

4. For examples of the letters to the editor published in Australian newspapers, see P Crawford, ‘Pensioners may need to sail here’, *Herald Sun*, 3 August 2007; F Inglis, ‘Pensioners worse off than refugees’, *Cairns Post*, 28 August 2007; B Plume, ‘Pensioners better off as refugees’, *Cairns Post*, 9 February 2008. These can be viewed at <http://www.abc.net.au/mediawatch/transcripts/s2191987.htm>

5. M Brough, *Pensioners warned of email scam*, media release, 17 August 2007, viewed 24 November 2009, http://www.formerministers.fahcsia.gov.au/malbrough/mediareleases/2007/Pages/pension_email_scam_17aug07.aspx

6. DIAC, *Fact Sheet 61—Seeking asylum within Australia*, 9 August 2008, viewed 24 November 2009, <http://www.immi.gov.au/media/fact-sheets/61asylum.htm>

onshore component fulfils Australia's international obligations to offer protection to people already in Australia who are found to be refugees according to the Refugees Convention.⁷

The majority of refugees in Australia are resettled from other countries (offshore) through Australia's offshore humanitarian resettlement program. The offshore resettlement component comprises two categories of permanent visa:

- the Refugee category for people who are subject to persecution in their home country, who are typically outside their home country, and are in need of resettlement. The majority of applicants who are considered under this category are identified and referred by the United Nations High Commissioner for Refugees (UNHCR) to Australia for resettlement.
- the Special Humanitarian Program (SHP) category for people outside their home country who are subject to substantial discrimination amounting to gross violation of human rights in their home country. A proposer who is an Australian citizen, permanent resident or eligible New Zealand citizen, or an organisation that is based in Australia, must support applications for entry under the SHP.⁸

The offshore component expands Australia's international obligations by offering resettlement to people overseas for whom this is the most appropriate option (known as the offshore resettlement component).⁹

Asylum seekers

The term 'asylum seeker' applies to those people seeking refugee status. According to the United Nations High Commission for Refugees:

An asylum seeker is an individual who is seeking international protection. In countries with individualized procedures, an asylum seeker is someone whose claim has not yet been finally decided on by the country in which he or she submitted it. Not every asylum seeker will ultimately be recognised as a refugee, but every refugee is initially an asylum seeker.¹⁰

In the Australian context, the term asylum seeker refers to Protection visa applicants awaiting final determination by DIAC or the Refugee Review Tribunal.

7. DIAC, *Fact Sheet 60—Australia's Refugee and Humanitarian Program*, 4 November 2009, viewed 24 November 2009, <http://www.immi.gov.au/media/fact-sheets/60refugee.htm>

8. DIAC, *Fact Sheet 60—Australia's Refugee and Humanitarian Program*, op. cit.

9. DIAC, *Fact Sheet 60—Australia's Refugee and Humanitarian Program*, op. cit.

10. UN High Commissioner for Refugees, *UNHCR master glossary of terms*, June 2006, Rev.1, p. 4, available at: <http://www.unhcr.org/refworld/docid/42ce7d444.html>, accessed 24 November 2009

The majority of asylum seekers applying for protection in Australia are people who have arrived with a valid visa and subsequently apply for protection.¹¹ Most of these applicants will receive a bridging visa upon lodging an application and may remain in the country while their application is finalised. Those who arrive or are found to be *without* a valid visa are regarded as ‘unlawful non-citizens’ and, under the *Migration Act 1958*, must be detained.¹²

The two main forms of detention are immigration detention centres and community detention. Immigration detention centres primarily detain people who have overstayed their visa, breached their visa conditions and had their visa cancelled or have been refused entry at Australia’s entry ports.¹³ They also detain unlawful non-citizens seeking refugee status, including those who arrive in Australia by boat. Asylum seekers who arrive at an excised offshore place are held in the immigration detention centre at Christmas Island.

Under the Rudd Government’s ‘New Directions in Detention’ policy announced in July 2008, detention policy and practices are to be guided by seven ‘key immigration detention values’. The values commit DIAC to ‘detention as a last resort, to detention for the shortest practicable period and to the rejection of indefinite or otherwise arbitrary detention’.¹⁴

A further feature of the ‘New Directions in Detention’ policy is that children and, where possible, their families, are not to be detained in an immigration detention centre. Instead, the Government’s policy is that ‘the priority will always be that children and their families will be promptly accommodated in community detention’.¹⁵ When detained in this way, ‘children and their families are able to move about in the community and receive support from non-government organisations and state welfare agencies, as necessary’.¹⁶

Refugee entitlements to social security

Refugees—that is, people who have been granted a Protection visa—do not receive higher benefits than other social security recipients.

In general, Australian Government payments are only available to people who reside in Australia and are either Australian citizens or holders of permanent visas. When an asylum seeker is granted refugee status, they become permanent residents of Australia. They have the

11. *Fact Sheet 61—Seeking asylum within Australia*, op. cit.

12. DIAC, *Fact Sheet 82—Immigration detention*, 9 October 2009, viewed 24 November 2009, <http://www.immi.gov.au/media/fact-sheets/82detention.htm>

13. *Ibid.*

14. *Ibid.*

15. *Ibid.*

16. *Ibid.*

same entitlements as all other permanent residents.¹⁷ There are no special refugee payments or special rates of payments for refugees.

Most refugees are of working age. This means that the main form of assistance provided to refugees is Newstart Allowance (commonly known as unemployment benefits). To qualify for Newstart Allowance, a refugee needs to meet the same requirements as any other resident. This includes participation in activities designed to increase one's chances of finding work and accepting work should it become available.¹⁸ There are no special or extra rates of Newstart Allowance for refugees.

As such, a single refugee receiving Newstart Allowance and sharing rented accommodation would currently receive \$530.53 per fortnight (comprised of Newstart Allowance of \$456.00 and Rent Assistance of \$74.53). This is precisely the same amount that would be received by any other permanent resident of Australia receiving Newstart Allowance. Similarly, any refugees receiving other Australian Government payments such as Disability Support Pension or Age Pension receive such payments at precisely the same rate as is paid to all other permanent residents.

Exemption from usual waiting periods

Most social security payments or concession cards have either a waiting period or qualifying residence criteria that apply to new arrivals in Australia. A two year newly arrived resident's waiting period applies to payments such as Austudy, Carer Payment, Commonwealth Seniors Health Card, Newstart Allowance, Sickness Allowance and Youth Allowance.¹⁹

Other payments do not have a newly arrived resident's waiting period, but have their own 'qualifying residence' requirements. For example, Age Pension and Disability Support Pension have qualifying residence requirements of ten years.²⁰

The newly arrived resident's waiting period and qualifying residence requirements are not applied in the case of refugees or humanitarian visa holders. This is in recognition of the

17. The Centrelink publication, *A guide to Australian Government payments* outlines the various payments available to all permanent residents/citizens. See *A guide to Australian Government payments*, Centrelink, 20 September—31 December 2009, viewed 24 November 2009, [http://www.centrelink.gov.au/internet/internet.nsf/filestores/co029_0909/\\$file/co029_0909en.pdf](http://www.centrelink.gov.au/internet/internet.nsf/filestores/co029_0909/$file/co029_0909en.pdf)

18. Centrelink, *Newstart Allowance*, 12 November 2009, Centrelink website, viewed 24 November 2009, <http://www.centrelink.gov.au/internet/internet.nsf/payments/newstart.htm>

19. See Centrelink, *Newly arrived resident's waiting period*, Centrelink website, 23 October 2009, viewed 24 November 2009, http://www.centrelink.gov.au/internet/internet.nsf/factors/newly_arrived.htm

20. In addition, Parenting Payment and Widow Allowance have qualifying residence requirements of two years.

special circumstances under which people in these categories have come to have permanent residency in Australia—that is, as refugees with no other means of financial support.

Assistance from the Department of Immigration and Citizenship

Refugees

According to DIAC:

The Australian Government views successful settlement as a key objective of the Humanitarian Program and is committed to ensuring that people settling in Australia have the support and help they need to rebuild their lives and become fully functioning members of the Australian community.²¹

The main program under which DIAC provides assistance to people who have been granted a permanent visa under the humanitarian program is through the Integrated Humanitarian Settlement Strategy (IHSS). The purpose of the IHSS is to ‘to promote the competence of humanitarian entrants and help them to achieve self-sufficiency as soon as possible by providing specialised services based on an assessment of needs’.²² The IHSS applies a case management approach that focuses on assisting humanitarian entrants to gain access to mainstream services.

Services provided under the IHSS include:

- on-arrival reception and initial orientation
- information about and referral to other service providers and mainstream agencies
- assistance with finding accommodation and provision of basic household goods to assist humanitarian entrants with establishing their own household in Australia
- short term torture and trauma counselling.²³

Assistance is generally provided for around six months, though can be extended in particular cases where deemed necessary.

Support provided under the IHSS is intended to ensure that people granted residence in Australia under the Humanitarian Program settle successfully. It is important to recognise

21. DIAC, *Fact Sheet 66—Integrated Humanitarian Settlement Strategy*, 23 April 2009, viewed 24 November 2009, <http://www.immi.gov.au/media/fact-sheets/66ihss.htm>

22. DIAC, ‘Integrated Humanitarian Settlement Strategy (IHSS)’, DIAC website, viewed 24 November 2009, <http://www.immi.gov.au/living-in-australia/delivering-assistance/government-programs/settlement-programs/ihss.htm>

23. Ibid.

that when many humanitarian entrants settle in Australia they are in a particularly vulnerable state—both traumatised by the experiences which have caused them to leave their home countries and lacking information and resources necessary to rebuild their lives.

Recipients of assistance under the IHSS do not receive cash payments. Nor, as is claimed in some emails, do refugees receive free houses or other extravagant gifts.²⁴

Asylum seekers

Asylum Seeker Assistance (ASA) Scheme

DIAC also provides assistance for some asylum seekers during the period in which their applications for protection are processed.²⁵ Financial assistance is available to some asylum seekers living in the community (those with a bridging visa) under the Asylum Seeker Assistance (ASA) Scheme. The ASA Scheme is administered by the Australian Red Cross under contract to DIAC. Assistance is paid at the rate of 89 per cent of the Centrelink Special Benefit—a payment made to those in severe financial need due to circumstances outside their control and who are not eligible to receive any other Centrelink pension or benefit.²⁶ Special Benefit is generally paid at the same rate as Newstart Allowance or Youth Allowance. Currently, a single person entitled to the Newstart equivalent rate of Special Benefit, would receive \$456.00 per fortnight. A single person receiving assistance under the ASA Scheme would receive no more than 89 per cent of this amount (that is, up to \$405).

Under the ASA Scheme, asylum seekers can also access general health care including pharmaceuticals, casework support and referrals to other agencies (legal, medical, counselling, social, education, housing, material aid).²⁷

Asylum seekers living in the community who wish to access assistance under the ASA Scheme must:

- be either a primary or review applicant;

24. DIAC, *DIAC refutes hoax email on asylum seeker policy*, op. cit. For further information on settlement services for refugees and migrants, see H Spinks, *Australia's settlement services for migrants and refugees*, , Research Paper no. 29, 2008–09, Parliamentary Library, Canberra, 2009, viewed 24 November 2009, <http://www.aph.gov.au/library/pubs/rp/2008-09/09rp29.htm>

25. DIAC, *Fact Sheet 62—Assistance for asylum seekers in Australia*, 1 July 2009, viewed 24 November 2009, <http://www.immi.gov.au/media/fact-sheets/62assistance.htm>

26. Centrelink, *Special Benefit*, 4 November 2009, viewed 24 November 2009, http://www.centrelink.gov.au/internet/internet.nsf/payments/special_benefit.htm

27. Australian Red Cross (ARC), *Asylum Seeker Assistance Scheme*, 2008, viewed 24 November 2009, http://www.redcross.org.au/ourservices_aroundtheworld_tracingrefugeeservices_ASAS.htm

- be in financial hardship, unable to meet their basic needs and have no continuing and adequate support; and
- have not had a decision made on a Protection visa within six months or meet exemption criteria that allow immediate access (these criteria are intended to ensure that the elderly, minors, young families, the ill and those who care for these groups can be assisted without delay).²⁸

Community Detention Program

Since 2005, DIAC has provided funding to Non Government Organisations (NGOs) aimed at ensuring that people placed in community detention are appropriately supported. NGOs are funded by DIAC to source appropriate housing, to provide payment of living expenses, and to ensure access to relevant health and community services and social support networks.²⁹ The lead agency in the Community Detention Program is the Australian Red Cross.³⁰ As with the ASA Scheme, income support is provided at the level of 89 per cent of the Centrelink Special Benefit.

Immigration Detention Centres

There is very little detailed information available on assistance provided to asylum seekers held in immigration detention centres. According to the Minister for Immigration, Senator Chris Evans, people held in these centres do not receive Centrelink equivalent payments or percentages of such payments but do receive a small allowance.³¹

People in immigration detention centres are also entitled to appropriate health care commensurate with the level of care available to the broader community.³² Further, as part of new processing arrangements introduced by the Rudd Government, asylum seekers in immigration detention receive publicly funded independent advice and assistance, access to independent merits review of unfavourable refugee status assessments and external scrutiny by the Commonwealth and Immigration Ombudsman.³³

28. DIAC, *Annual Report 2008-09*, p. 159, viewed 24 November 2009, <http://www.immi.gov.au/about/reports/annual/2008-09/pdf/>

29. DIAC, *Fact Sheet 83a—Community detention*, 20 May 2009, viewed 24 November 2009, <http://www.immi.gov.au/media/fact-sheets/83acommunity-detention.htm>

30. ARC, *Community Detention Program*, 2008, viewed 24 November 2009, http://www.redcross.org.au/ourservices_aroundtheworld_tracingrefugeeservices_commdeten.htm

31. Ibid.

32. DIAC, *Fact Sheet 82—Immigration detention*, op. cit.

33. Ibid.

According to a DIAC spokesperson, people held in detention centres have access to the internet and are issued with a phone card each week to allow them to make calls to their representatives, friends or others.³⁴

Conclusion

As outlined above, there is no truth to claims made in emails recently circulated throughout Australia that refugees are entitled to higher benefits than other social security recipients. Refugees have the same entitlements as all other permanent residents—they do not receive special refugee payments or special rates of payment.

Given the circumstances in which refugees come to settle in Australia, they are exempt from the standard waiting period that applies to migrants seeking to access social security payments or concession cards. They also receive short-term assistance from DIAC aimed at helping them settle effectively once they have received permanent residency.

DIAC also provides funding to assist asylum seekers living in the community or in community detention through NGOs such as the Australian Red Cross. The financial component of such assistance does not exceed 89 per cent of the Centrelink Special Benefit. Limited assistance in the form of services is provided in order to assist asylum seekers living in the community or community detention to meet basic needs such as access to health and community services. Asylum seekers in immigration detention centres receive a small allowance but do not receive Centrelink equivalent payments or percentages of such payments.

The assistance to refugees and asylum seekers described in this Background Note is longstanding and has bi-partisan support. Such support is consistent with the overall obligation and commitment by Australia to provide protection for refugees and resolve refugee situations.

34. DIAC spokesman, Sandi Logan, quoted in A Hayward, 'Asylum seekers on Christmas Island receive payments', *new.com.au*, 29 April 2009, viewed 24 November 2009, <http://www.news.com.au/story/0,27574,25407241-29277,00.html>

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