



## **Jesuit Refugee Service Australia**

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19<sup>th</sup> March 2009

Hon Ian West MLC  
Chair  
Standing Committee on Social Issues  
Parliament House,  
Macquarie Street  
Sydney NSW 2000

Dear Mr. West,

The Jesuit Refugee Service Australia (JRS) congratulates the NSW Government on its commitment to develop more effective policies and strategies to tackle homelessness. On behalf of JRS and the people we support, I thank you for the opportunity to make a submission to the Standing Committee on the issue of “***Homelessness and Low-Cost Rental Accommodation***”, and raise the issues of homelessness affecting a particular group of ‘forgotten’ homeless people, namely, asylum seekers in the community.

JRS is an international Catholic organisation with a mission to accompany, serve and defend the rights of asylum seekers, refugees and forcibly displaced people. We work in over 55 countries around the world, undertaking services at national and regional levels with the support of an international office in Rome.

In Australia JRS runs a small office with five staff members and over twenty volunteers. One of our main programmes in Sydney is our Shelter Project, which for the past two years has aimed to assist asylum seekers in the community by providing them with accommodation support, financial aid, job search assistance (for those with permission to work), living and travel allowances, English classes and personal accompaniment. This program is fully funded by private donations.

We are one of only three not-for-profit organisations that provide direct accommodation services to asylum seekers in Sydney. The other two are the House of Welcome and the St Vincent de Paul Society (Sydney Archdiocese). I believe they are providing separate submissions to this inquiry. All three organisations share deep-seated concerns regarding **the high incidence and risk of homelessness and destitution amongst community-based asylum seekers.**

Given the limited involvement of mainstream services in responding to asylum seeker needs, and given that asylum seeker homelessness is generally linked to destitution arising from federal immigration policy, we deliberated initially whether our concerns and suggestions might fall outside the direct scope of the inquiry’s terms of reference. However, we were encouraged by the remark made in the initial cover letter that we received which stated that “the Committee is particularly interested in hearing about the experiences of homeless people and your view of how their problems may be best addressed”.

**The Refugee Council of Australia's** recent submission, *Australia's Refugee and Humanitarian Program 2009-10: Community views on current challenges and future directions*, was presented to the federal Minister for Immigration and Citizenship Senator Chris Evans, on 23 January 2009. Based on broad national consultations, this document highlights the issues that the Australian Government is called to consider in planning their annual refugee program. It explores a number of issues including a section on Housing. The document states: "Once again the lack of available housing for refugees and humanitarian entrants was the key issue of concern most commonly raised by service providers and community representatives at this year's consultations". This section of the document focuses primarily on issues affecting newly arrived refugees. In view of this, our concerns and suggestions for practical steps presented in this submission focus primarily on asylum seekers in the community.

Our objective is that asylum seekers be afforded safe and dignified living conditions pending the fair and timely resolution of their immigration status, in order that:

- They are best equipped to resettle in Australia and participate fully in society if granted a visa to remain in this country
- They are best equipped to return to and engage in the society of their country of origin if found to not require Australia's protection or have other compelling humanitarian claims
- Australia comply with our international human rights obligations and UN recommended minimum standards for the reception of asylum seekers.

We agree with the Federal Government that "all government social policies and programs need to work together to reduce homelessness" (Federal Government's Green Paper p. 2). We believe that this principle is applicable at both federal and state levels, and we encourage the NSW Government to apply this principle to tackling the issues of asylum seeker homelessness and destitution, regardless of asylum seekers' temporary visa status.

### **Our Concerns**

Unlike Australian-based homeless people, the sources of vulnerability of asylum seekers are primarily found in pre-arrival traumas rather than in circumstances endured onshore (in country). Unfortunately, our experience demonstrates that on-shore factors, including uncertainties regarding their future, commonly exacerbate pre-arrival distress and trauma. Some of these in-country factors pertaining to the immigration portfolio include:

- "Enforced destitution" of asylum seekers resulting from Australian Government regulations introduced as part of Migration Regulation (Amendment) Statutory rules 1997 No 109, which have denied the right to work to asylum seekers with certain classes of visas. We applaud the current federal Government's review of these regulations which will hopefully remove this right-to-work restriction in most if not all cases.
- Impediments and barriers to support under the federal Government's Community Care Pilot and Asylum Seekers Assistance Scheme.

- The level of support given under the Asylum Seekers Assistance Scheme (normally 89% Centrelink special payment), which is inadequate for maintenance of housing other than emergency shelters.

The impact of the widespread, and often protracted, denial of the right to an income and health care (via work rights or state support) is devastating and results directly in an increase in the risk of homelessness. It also often results in acute poverty, malnutrition, untreated illnesses, deteriorating health, family breakdown, plummeting self-esteem, and severe depression, making this population one of the most vulnerable at present.

In addition, there are other factors which pertain directly to accessing housing. These include:

- **Shortage of viable housing options**, notwithstanding significant contributions made by church and other not-for-profit providers.
- **Difficulties accessing SAAP funded homeless services** due to limited ability to pay and visa status. Refugees often advise us that they simply cannot afford to assist non fee-paying asylum seekers for whom they cannot claim subsidy payments. Proof of ability to pay is normally required.
- Even where places are provided in refuges, the **refuge environments** are sometimes **highly re-traumatising** for asylum seekers because of language barriers, lack of privacy and the distress of other refugee clients.
- Immense **difficulties in accessing mainstream rental market**. Rental vacancy rates in most major cities are now at an all time low, especially at the affordable end of the market.
- **Culture and language barriers** which make it very difficult to understand the process involved in acquiring housing. One concrete example is the great difficulty that asylum seekers experience in dealing with real estate agents, who are often reported to lose patience with asylum seekers or simply refuse to accept their applications for rental property, citing risk factors. Further, arbitrary increases in weekly/fortnightly rent with only a short period of notice are not uncommon.
- Asylum seekers who have permission to work still experience **great difficulty in finding employment**. Lack of employment history and accreditation of qualifications, as well as limited English language skills, make it almost impossible for them to compete for jobs. Further, given the volatile nature of the current economic climate, barriers to employment are likely to substantially increase for asylum seekers as there is little incentive to hire a person on a short term visa.
- While in the asylum process, asylum seekers have no certainty of their future as to whether they will be allowed to stay in this country or not. This often leads to an **inability** by the asylum seekers **to commit to a rental contract** and the reticence on the part of the real estate agents to engage in such a contract.

While JRS and other not-for-profit organisations attempt to bridge the gap to provide accommodation for asylum seekers in need, the reality is that our resources are

extremely limited and at most we would service, collectively, about 5% of this population in need. Another reality is that the sector has become overburdened. In late December 2008 we had to make the difficult decision of not increasing our case load any further until current cases had been finalised. JRS presently has an active caseload of 60 people. Unfortunately such ‘moratorium’ on new cases is still in effect.

At the same time, in recent months we have seen the requests for accommodation support increase, possibly as a result of higher rental costs and greater competition for rental properties in Sydney. Furthermore, we have witnessed a burden increase on another vulnerable population, namely, newly arrived refugees who, when encountering asylum seekers of their own country or ethnic background feel compelled to offer them support from their meagre resources. Unfortunately, such a situation quickly becomes unsustainable and asylum seekers find themselves moving from one place to another until they finally face the risk of homelessness once again. Further, this frequent and constant movement is particularly challenging for asylum seekers who, having endured dramatic experiences of forced displacement, long for a sense stability and a feeling of security in their lives.

Finally, most of our clients come to us in the primary stages of their Permanent Protection application process, which means that effectively they have no links to the community and no access to other sources of support. A minority might arrive with limited financial resources but these dwindle very quickly. They are homeless upon arrival and could continue to be homeless for a long period of time unless supported by agencies such as ours, which might end up supporting many of these asylum seekers for long periods of time (six months and longer) using private donations.

### **Ways forward**

In order to reduce the risk of homelessness among asylum seekers we propose the following steps based primarily on an early intervention approach or model:

- **Enter into partnership with non-government sector organisations** with proven track records in dealing with asylum seeker housing issues. Among others, these would include (in NSW) the Jesuit Refugee Service Australia, the House of Welcome, St Vincent de Paul Society (Sydney Archdiocese) and the Asylum Seekers Centre. These organisations provide a holistic, case-based approach to the issues facing asylum seekers, not only in terms of accommodation needs, but also mental health and legal referrals and support as well as accompaniment from initial stage of application for protection submissions through to resolution of their immigration status.
- **Incorporate tailored solutions to asylum seeker homelessness** as part of the national plan of action taking into account the particular needs of asylum seekers which have already been noted above. This could be achieved by exploring cross-government, cross-sector opportunities for the delivery of ‘innovative’ and ‘joined-up service delivery’ models for tackling asylum seeker homelessness. Clearly, this would require the NSW Government’s maintaining a dialogue with the federal government about the ways in which federal government immigration policy impacts on the homelessness of asylum seekers in the state, and a working collaboratively between state and federal governments.

One example is to explore the use of a community housing model where the Government provides accommodation, or funds the provision of accommodation to asylum seekers, with experienced agencies continuing service delivery to ensure that asylum seekers remain supported throughout their entire journey. The RCOA submission mentioned above states: “in the past decade, community housing organisations have grown with the help of significant housing stock transfers from state public housing bodies, as governments have seen benefits in housing being managed by non-profit organisations with greater accountability to tenants”.

- **Ensure that asylum seekers have access to mainstream crisis accommodation services that are equivalent to Australian residents.** For example, ensure that asylum seekers are not denied access on basis of their temporary visas, and that crisis accommodation services are willing and able to access interpreter services. This can be achieved by including allocations for asylum seekers in SAAP or its equivalent.
- Extend access to information and/or training on tenancy rights and responsibilities to asylum seekers. This information/training should also include learning how to search, apply for and maintain properties.

To reiterate, our objective is to ensure that asylum seekers be afforded safe and dignified living conditions pending the fair and timely resolution of their immigration status.

By offering early intervention strategies for asylum seekers the Australian Government can reduce the amount of assistance required in the future. If an asylum seeker is provided with appropriate support from the beginning (through the measures outlined above) they will then be able to settle effectively and contribute to the wider community if and when they receive permanent visas. However if they are not given assistance, including accommodation, the problems they already have will be compounded, resulting in an increased need for services under the IHSS and SGP federal Government funded programs and an increased reliance on social security. Early intervention in this case has an economic benefit as well as a social one.

Our recommendations here aim primarily to mitigate the risk of homelessness amongst a very vulnerable group in our community. We thank you once again for the opportunity to share with you our on-the-ground experience with asylum seekers in the community.

Yours sincerely,

**Sacha Bermudez-Goldman SJ**  
Director, Jesuit Refugee Service Australia